U.S. Department of the Interior
Bureau of Land Management

Red Rock-Sloan Field Office

Environmental Assessment

Draft

Environmental Assessment DOI-BLM-NV-S020-2020-0015-EA

Fee Station Infrastructure Improvements and Right-of-Way Issuance at Red Rock Canyon National Conservation Area

Case File: N-99657

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Abbreviations and Acronyms

APLIC	Avian Power Line Interaction Committee
BLM	U.S. Bureau of Land Management
CFR	Code of Federal Regulations
EA	Environmental Assessment
E.O.	Executive Order
ESA	Endangered Species Ace
FAA	Federal Aviation Administration
FE	Federally Endangered
FEMA	Federal Emergency Management Agency
FEMP	Federal Energy Management Program
IPAC	Information for Planning and Consultation
LED	Light-emitting diode (light bulb)
MBTA	Migratory Bird Treaty Act
NAC	Nevada Administrative Code
NAAQS	National Ambient Air Quality Standards
NCA	National Conservation Area
NDOT	Nevada Department of Transportation
NEPA	National Environmental Policy Act
NRS	Nevada Revised Statutes
PFYC	Potential Fossil Yield Classification
PM_{10}	Particulate Matter of 10 microns or less
PUP	Pesticide Use Proposal
RMP	Resource Management Plan
RRCNCA	Red Rock Canyon National Conservation Area
RRSFO	Red Rock/Sloan Field Office
SHPO	State Historic Preservation Office

SIP	State Implementation Plan
SNDO	Southern Nevada District Office
SR	State Route
T&E	Threatened and Endangered
THPO	Tribal Historic Preservation Officers
USACE	U.S. Army Corps of Engineers
U.S.C.	United States Code
USFWS	U.S. Fish and Wildlife Service
VRM	Visual Resources Management
WSA	Wilderness Study Area

Chapter 1 Introduction

This Environmental Assessment (EA) has been prepared to disclose and analyze the environmental effects of the Proposed Action, which consists of infrastructure improvements at the Fee Station to the Scenic Drive at Red Rock Canyon National Conservation Area (RRCNCA). The proposed infrastructure improvements include:

1. Install new exterior light-emitting diode (LED) lights at the Fee Station and parking area.
2. Replace existing Fee Station septic system.
3. Build an additional controlled entry lane ("Fast Pass Lane") at the Fee Station and a 5-foot-wide bicycle lane with a separate controlled entry system.
4. Widen the entrance roadway leading into the fee booth area to accommodate the addition of the new controlled entry lane and bicycle path and widen the roadway exiting the fee booth area to allow traffic to merge gradually.
5. Build a Ride Share Lane at the Fee Station entrance with Improvements to the Existing Parking Lot.
6. Build a maintenance/emergency vehicle entry at the intersection of the Visitor's Center one-way exit road and State Route (SR)-159.

This EA will assist the Bureau of Land Management (BLM) Red Rock-Sloan Field Office (RRSFO) in project planning and ensuring compliance with the National Environmental Policy Act (NEPA), and in making a determination as to whether any significant effects could result from the analyzed actions. Following the requirements of NEPA (40 CFR 1501.5), this EA describes the potential impacts of a No Action Alternative and the Proposed Action. If the BLM determines that the Proposed Action is not expected to have major effects, a Finding of No Significant Impact (FONSI) will be issued, and a Decision Record will be prepared. If significant effects are anticipated, the BLM will prepare an Environmental Impact Statement or select the No Action Alternative.

Background

The BLM RRSFO is responsible for managing RRCNCA. RRCNCA was designated a National Conservation Area for its unique and nationally important geological, archaeological, ecological, cultural, scenic, scientific, wildlife, riparian, wilderness, endangered species, and recreation resources. RRCNCA is approximately 198,000 acres and is located 15 miles west of Las Vegas, Nevada. RRCNCA amenities include a 13-mile scenic drive; more than 60 miles of multi-use trails for hiking, horseback riding, and mountain biking; road biking and rock-climbing opportunities; picnic areas; a campground; and a visitor center with exhibits and a bookstore.

When the original RRCNCA Visitor Center opened in 1982 the area experienced approximately 20,000 annual visitors. As visitation increased, a new Visitor Center was built in 2010 along with the Fee Station. Today, RRCNCA is visited by over 3 million people annually with visitation rate is projected to increase significantly into the near future. One of the most visited areas of RRCNCA is the Scenic Loop Drive.

Purpose and Need

The proposed infrastructure improvements are needed to provide safety, modernize aging infrastructure, and alleviate traffic congestion.

1. **Install Exterior Lighting**
   In the early morning and evening hours, particularly from late fall through early spring, the area immediately surrounding the Fee Station can be pitch dark. This poses a safety and security risk to employees who must find their way to and from the parking lot while avoiding unseen obstacles or wildlife. The installation of exterior lighting would safely illuminate the area surrounding the Fee Station and the parking lot to show clear, safe pathways and to deter intruders.

2. **Replace the Fee Station Septic System**
   The existing Fee Station septic tank system was built circa 1982 and predates the construction of the current fee station facility in 2010. Replacing the fee station septic system would modernize the 40-year-old sewage infrastructure and relocate it away from its current location in a wash. It would also correct existing septic flow concerns due to the pipe configuration. The existing septic system's sanitary sewer line has multiple sections of improperly graded pipe. These unevenly graded sections create low spots in the line allowing for standing water and debris accumulation. Such conditions may also encourage undesirable buildup of waste materials over time. Therefore, a new septic system would also provide for a consistent pipe grade, leading to improved waste disposal.

3. **Build a Fast Pass Lane and Bicycle Lane**
   Visitation into the Scenic Drive has increased over the years. In recent years during high visitation days, the traffic has backed up to the SR159 and along the highway. Some traffic congestion was reduced with implementation of a time entry reservation system in the fall of 2020. The busiest traffic times are at the top of each hour between 8:30am to 4:00pm. Lines can still form during those busy times potentially creating a road hazard for motor vehicles, bicyclists, and pedestrians along SR159.

   Building a Fast Pass Lane would allow visitors who possess a valid Federal Recreational Lands pass (such as the America the Beautiful Pass) and BLM employees to use this lane to enter more quickly without having to wait for visitors who are paying their entry fee and/or asking for information. Building a Bicycle Lane would allow cyclists who also possess a valid entry pass to have a dedicated means of entry, keeping them safely out of lanes meant for motor vehicles. Building an additional entry lane and a bicycle lane with automated gate control for pass holders and BLM staff would expedite access to the recreational area for these vehicles/cyclists and alleviate traffic congestion at the Fee Station during peak visitation hours.

4. **Widen the Entrance Roadway**
   The current entrance roadway from SR159 is narrow until just before the Fee Station and booths. The added traffic volume passing through the Fee Station would necessitate increased lane width to enable orderly traffic flow into the Fee Station and gradual, safe

traffic merging past the Fee Station. An additional Fast Pass and a dedicated Bicycle Lane would also require more pavement at the Fee Station approach and departure.

5. **Build a Ride Share Lane with Improvements to the Existing Parking Lot**
   Many visitors to the RRCNCA choose to be dropped off and picked up at the Fee Station, allowing them to access the Visitor Center by foot. The vehicles that transport these passengers have no way to safely turn around and exit back to SR159 after loading and unloading passengers at the Fee Station. These vehicles are forced to either pass through the fee lanes, back up, or perform a dangerous U-turn along the one-way street to return to SR159. During peak visitation hours, such maneuvers contribute to traffic congestion while putting other motorists, bicyclists, and pedestrians at risk. Building a new paved Ride Share Lane would allow vehicles to drop off or pick up visitors near the Fee Station entrance, detour away from the Fee Station without entering the fee lanes and return safely back to SR159. Specifically, it would allow vehicles to safely steer away from entering the Scenic Loop Drive without passing through the Fee Station and aid in reducing traffic congestion at the Fee Station.

6. **Build a Maintenance/Emergency Vehicle Entrance**

   Emergency responders need a fast way to enter the RRCNCA. This feature would expedite entry into the Scenic Loop area which could make a critical difference in a life-or-death situation. A new maintenance/emergency vehicle entrance would enable visitors to safely exit the RRCNCA, and simultaneously provide official government/emergency response vehicles a fast and safe means to enter when the Fee Station entrance is congested.

Decision to be Made

The BLM will decide whether to deny the proposed infrastructure improvements, grant the infrastructure improvements, or grant the infrastructure improvements with modifications. The BLM may include any terms, conditions, and stipulations it determines to be in the public interest and may include modifying the proposed use or changing the route or location of the proposed facilities (43 CFR 2805.10(a)(1)). In the decision process, the BLM must consider how the BLM's resource management goals, objectives, opportunities, and/or conflicts relate to this non-federal use of public lands.

Conformance Summary

Land Use Plan:	**Date Approved:**
Red Rock Canyon National Conservation Area Resource Management Plan	May 2005

The Proposed Action is in conformance with the Red Rock Canyon National Conservation Area Resource Management Plan (RMP), May 2005. The emphasis of the 2005 Red Rock Canyon National Conservation Area RMP is to protect unique habitats for threatened, endangered, and

special status species while providing areas for community growth, recreation, mineral exploration and development, and other resource uses. The RMP documents the current limitations of the Visitor Center in meeting the needs of current visitor loads. The Proposed Action is also tiered off the following EAs:

- Red Rock Canyon NCA Visitor Center Environmental Assessment," EA NV-050-2007-63, January 8, 2008
- The site location was analyzed for construction of the Fee Station and road in EA NV-050-2007-63.

Chapter 2 Proposed Action and Alternatives

No Action Alternative

The No Action Alternative would allow existing safety, security, septic, and traffic issues to persist at the Fee Station and Entrance to the Scenic Drive. The current Fee Station exterior lights would remain as is and would not provide adequate lighting to the area around the building and the parking lot during the dark hours in the morning and evening, impairing employees the ability to find their way to and from the parking lot while avoiding unseen obstacles or wildlife. The Fee Station's existing 40-year-old septic tank and leach field are located on the opposite side of the roadway that leads to the fee collection booths and would remain at its current location in the wash with waste build up and sewage odor occurring in the aging underground, suboptimal pipe grade, resulting in more frequent maintenance to clear the pipes and the septic tank. At the Fee Station entrance, the three entry lanes would continue to accommodate for motor vehicle and bicycle traffic, with continued periods of traffic congestion occurring. The three Fee Station entry lanes would also continue to accommodate for the Ride Share vehicles who drop off and pick up visitors and would continue to increase the volume of vehicles waiting at the Fee Station. Some of the Ride Share vehicles who try to turn around and exit the area would create more congestion at the entrance. Emergency vehicles needing to enter the Scenic Drive area would continue to enter at the Fee Station and may continue to experience delays in entering due to the traffic congestion which could affect critical response time for attending to emergencies.

Proposed Action

The Proposed Action would consist of the following: installing exterior lighting, replacing the fee station septic system, building a fast pass lane and bicycle lane, widening the entrance roadway, building a ride share lane with improvements to the existing parking lot, and building a maintenance/emergency vehicle entrance. The total of these components of the Proposed Action would create a footprint/actual disturbance of approximately 2.6 acres. While the footprint would be 2.6 acres, 5.8 acres was analyzed to include the components of the Proposed Action..

(*See Appendix B: Figure 1 - Overview Map of Fee Station Infrastructure Improvement Zones. This map provides a consolidation of all areas affected by the Proposed Action and includes both new and previous disturbance. Subsequent maps in Appendix B isolate the areas of new disturbance for the individual elements comprising the proposed action.*)

These elements are described in detail below.

1. **Install Exterior Lighting**

   The Red Rock/Sloan Field Office would install new exterior LED lights at the Red Rock Canyon Fee Station. The Fee Station is located on Scenic Loop Drive, approximately 750 feet northwest from the entranceway to this road from SR159. The new LED lights would illuminate the Fee Station to allow staff members to walk safely to and from the parking lot during the evening and early morning hours when the sun is down. They would also provide additional site security by deterring trespassers and hidden intruders.

All new lights would be mounted to the exterior of the Fee Station building, including those that would illuminate the parking lot, and to the canopy structure above the visitor entry lanes.

The new lights would illuminate the immediate perimeter of the Fee Station, the parking lot to the south of the building, and the visitor entry lanes to the north.

Exterior Lighting Specifications:

- Lighting would be mounted and directed to focus light only on the intended area, to avoid light spill.
- Fully shielded fixtures would be constructed in such a manner that light emitted by the fixture is projected below the horizontal, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire.
- Minimum intensity lighting would be used that meets safety criteria.
- To reduce skyglow and wildlife impacts, and when accurate color rendition is not required (e.g., roadway, basic security), lighting would be amber in color, using either low-pressure sodium lamps or yellow light emitting diode (LED) lighting, or an equivalent (e.g., Low-pressure sodium (LPS), High-pressure Sodium (HPS) and low-color-temperature LEDs [CCT < 3,000 K; S/P ratio < 1.2]).
- Up-lighting would be prohibited, and full cutoff luminaires used, except in cases where the fixture is shielded from the sky by a roof overhang or similar structure and where the fixture does not cause light to extend beyond the structural shield.
- Lighting installed on buildings would be down shielded.
- Lighting in highly illuminated areas would be sensor/motion activated during nighttime operating hours (e.g., beginning at dusk). All lighting during nonoperating hours would be sensor/motion activated. Lighting would remain off, unless activated by personnel for safety and security reasons.

(See Appendix B: Figure 2 - Proposed Lighting Layout.)

Maintenance

Maintenance is expected to be minimal with only light bulbs replacements occurring when needed.

2. Replace the Fee Station Septic System

All alternatives for the new septic system would abandon the existing septic tank and leach field currently located on the east side of the roadway leading up to the fee collection booths. A new septic system with an improved pipe grade would be installed in an area away from significant stormwater flows and away from the proposed new pavement of the Fast Pass and Bicycle Lanes to a site either further east from its present location, or south of the fee station on the same side of the Scenic Loop entry road.

The existing septic tank and leach field would be abandoned in place. All waste would be pumped out and the tank would be filled in with concrete or other approved fill material. All pipes are plastic and would also be left in place. The existing leach field would be left as is, and nothing would be built over it.

Trenching for the new septic tank and pipes would be between 3-8 ft. deep. Actual depth would be field determined based on existing conditions. The depth for the new septic tank would depend on the size and geometry of the tank and would allow for the top surface of the tank to be exposed at surface level.

If caliche is encountered during excavation, the contractor would break up the hard rock layer to achieve the correct size and depth of excavation. Extensive caliche can be broken up using a rock hammer attachment for the excavator. For smaller and shallower excavations, the contractor may use jackhammers. All rock fragments would then be removed either by the excavator or by hand. These spoils would later be used as part of the backfill or disposed of offsite by the contractor.

Natural barriers may be placed around the perimeter of the proposed septic tank location to ensure vehicles do not drive over the area while allowing a location for a pump truck to access the proposed septic tank.

Although an expansive area may be considered for siting the new septic system (Appendix B: Figure 3), the Proposed Action places the new septic tank and leach field as indicated in red. These new structures would cover less than 0.1 acres.

(See Appendix B: Figure 3 - Map of the Total Area Considered for the Upgraded Septic System; and Figure 4 - Close Up of Proposed Action for New Septic System.)

Maintenance

The lifespan of the septic tank would be a minimum of 20 years or more if maintained. Future maintenance for the septic system would be minimal. Periodic inspection may be performed within the tank and leach field for blockages. The effluent filter may require cleaning or replacement and the leach field distribution box may require periodic inspection and cleaning. In more thorough inspections, a pump truck may be required to empty the septic tank. It is general knowledge that nothing beyond normal domestic waste should be flushed into the system which could cause blockages in the pipes or in the septic tank.

3. Build a Fast Pass Lane and Bicycle Lane

The Proposed Action would build a fourth "Fast Pass" entry lane and bicycle lane at the Fee Station. The Fee Station is located approximately 750 feet northwest from the intersection of Scenic Loop Drive and SR159. The Fast Pass Lane with an automated card reader that operates a boom gate would be built to the right of the current three visitor entry lanes controlled by manned fee booths.

The bicycle lane would be built alongside the new Fast Pass Lane and also have a dedicated automatic entry system to allow cyclists to safely pay their entrance fee or to swipe a pass without the need to cross into a motor vehicle lane.

The Proposed Fast Pass Lane would be constructed on a section of land that had once been covered by pavement up until 2010, when the current Fee Station was built. This Proposed Action would therefore restore the original pavement in that area. Additionally, the roadway

leading up to the Fee Station would be widened to accommodate a separate bicycle lane as well as the pavement past the fee booths.

The proposed lane reconfiguration would be designed as an architectural extension of the existing lane layout. This would include a new median strip, an extension of the existing overhead metal shade structure over the new lane with a security camera and overhead illumination, and pavement designed to match the existing architectural components. A Visual Resource Management (VRM) color palette would be used for any structures to minimize visual effects.

The new Fast Pass and Bicycle Lane would have a footprint/disturbance of 0.5 acres (Appendix B).

(See Appendix B: Figure 5 - Drawing of Current Layout of Visitor Entry Lanes;Figure 6 - Fast Pass and Bicycle Lane; Figure 7 - Drawing of New Layout with Fast Pass Lane and Bicycle Lane, and Figure 8 - Drawing of Elevation of New Layout – Fee Station Elevation Featuring Fast Pass and Bicycle Lanes.)

Utilities

The Proposed Fast Pass and bicycle lanes and roadway expansions would also require the movement of existing utilities to include an electrical vault, all adjacent to the fee lanes, off the north edge of the pavement. New utility trenches underneath existing visitor entry lanes would be excavated for the installation of additional power and communication lines (in conduit) leading to the new booth, automated gate, and gate control system. The electrical vault would remain at its current site coordinates, but it would be raised from its current elevation to coincide with the widening of pavement atop its current position.

All excavations would be coordinated with the local utility providers such as NV Energy.

Maintenance

Infrastructure maintenance would be based on the life of the equipment. Utility maintenance (i.e. electric, communication lines) would not likely occur as they would not likely need maintenance.

4. Widen the Entrance Roadway

Because the proposed construction of the Fast Pass and Bicycle Lanes at the Fee Station would necessitate more paved space, the Proposed Action would widen the roadway entering and leaving the Fee Station with gradual and controlled merging of traffic past the Fee Station to accommodate for the added volume passing through this sole point of entry to the RRCNCA Scenic Loop Drive and Visitor's Center. The entire road, starting from the intersection at SR-159 to the fork that splits off to the Visitor's Center from the Scenic Loop Drive, would be expanded.

Pavement improvements would also include relocating the existing cattleguard that is situated within the NDOT right-of-way by the Scenic Loop Drive entrance further up the entrance, just beyond the right-of-way boundary. This would also require expanding the size of existing stormwater drainage culvers which pass underneath the entry roadway.

The widening the roadway would have a footprint/disturbance of 0.5 acres (Appendix B).

(*See Appendix B: Figure 9 - Map of Widened Roadway; Figure 10 - Drawing of Widened Entry from SR-159 to the Fee Station; and Figure 11 - Drawing of Widened Exit from the Fee Station to the Visitor's Center and the Scenic Loop.)*

Maintenance

Maintenance would be typical roadway asphalt maintenance and sealing cracks. Storm drainages would also be kept clear.

5. Build a Ride Share Lane with Improvements to the Existing Parking Lot

The Proposed Action would build a Ride Share Lane at the entrance to the Fee Station. It would be located within the gates of the entrance and exit, just south of the existing Fee Station parking lot. The new road would be paved south of the existing Fee Station parking lot.

The new Ride Share Lane would include a row of parking slots for vehicles to stop temporarily to pick up or drop off passengers or to take photos. The roadway would be wide enough to allow for continuous flow of traffic from the Scenic Loop Drive out to the SR159 exit, while providing room for vehicles to pull over for loading and unloading passengers.

Between the parking lot and the Ride Share, a new median would create a physical barrier separating the two. The median also provides a convenient zone for visitors awaiting their rides, featuring shaded seating and informational kiosks. Signage and pavement striping would guide traffic and pedestrians from this area to the Visitor Center through the Fee Station parking lot along a delineated path. A covered seating area would be installed, and a pedestrian fee station would enable walk-in visitors to pay to enter the Visitor Center area. A sidewalk would lead visitors up to the path leading into Scenic Loop Drive. The new road, curbing, and pedestrian improvements would be the only new disturbance, which would cover an area of approximately 1.2 acres.

Another new feature at the improved parking lot is a gated entry from the Ride Share Lane. As traffic from SR-159 pulls into the Ride Share Lane, vehicles would have an opportunity to either stay in the Ride Share or enter the parking lot, subject to available parking. Adding this new entrance would necessitate other parking modifications. The east corner of the lot would be expanded to add more pavement to facilitate the new traffic pattern coming through the new entrance. Also, the current scooter exit lane at the east end of the parking lot would be removed, and a new walking trail connecting the north end of the parking lot to the existing trail leading up to the Visitor's Center would be created. New disturbance from the Walking Trail and parking expansion at the east corner would be 0.2 acres (Appendix B).

Finally, the existing parking lot itself would undergo significant repair. The pavement would be milled to expose the base course. As needed, additional fill material would be added and the entire base course releveled and recompacted to restore the parking lot's structural integrity before a fresh layer of asphalt and topcoat is replaced along its entire surface. The entire parking lot resurface area encompasses approximately be 0.6 acres.

The Proposed Action would also include issuing a Right-of-Way for the new Ride Share Lane.

(See Appendix B: Figure 12 - Map of Ride Share Lane and New Median; Figure 13 - Drawing of the Ride Share Lane; and Figure 14 - Map of Parking Lot Modifications Featuring Extended Pavement on the East Corner and New Walking Trail.)

Maintenance
Maintenance would be typical roadway asphalt maintenance, sealing cracks, maintaining the curbs, and weed removal.

6. Build a Maintenance/Emergency Vehicle Entrance

The Visitor's Center one-way exit back to SR159 is located approximately 860 feet to the west of the Scenic Loop Drive entrance along SR159. Vehicles leaving the Visitor's Center and choosing not to drive along the 13-mile Scenic Loop Drive would leave the RRCNCA at this location. It is currently configured as a one-way exit only, so no vehicle entry is allowed here. However, under certain circumstances such as emergencies, when authorized vehicles must enter the RRCNCA but cannot do so via the main entrance at the Fee Station due to congestion, the quickest means of entry is through this one-way exit. Under its current traffic configuration, it is unsafe for vehicles to do so. Therefore, this project would modify this exit to add a gated entry loop alongside the one-way exit lane. This gated loop would enable authorized vehicles to safely enter without traveling directly into oncoming traffic, while preventing unauthorized vehicles from doing so. Tire rippers would also be installed to discourage and prevent vehicles from entering from the wrong direction.

The new Maintenance/Emergency Vehicle Entrance would have a footprint/disturbance of 0.1 acres.

(See Appendix B: Figure 15 - Map with Proposed Maintenance/Emergency Vehicle Entrance; and Figure 16 Drawing of Proposed Maintenance/Emergency Vehicle Entrance)

Maintenance
Maintenance would be typical roadway asphalt maintenance, sealing cracks, maintaining the curbs, and weed removal. Storm drainages would also be kept clear.

Summary of Acres of New Disturbance

The following table provides a summary of the acres of new disturbance related to the Proposed Action.

Table 2.1 Proposed Action and Acres of Disturbance

Proposed Action	Acres of Disturbance
Replace Septic System	~0.1
Fast Pass and Bicycle Lanes	0.5
Widened Roadway	0.5
Ride Share Lane and New Median	1.2
Parking Lot Improvements (Pedestrian Path, Expansion)	0.2
Maintenance/Emergency Vehicle Entrance	0.1
Total Acres	**2.6**

Construction Details for Proposed Action Alternative

Contracted Work

BLM would contract and oversee the proposed construction work. The licensed contractors would be hired through the Federal Acquisitions process to perform all construction and would be managed by the US Army Corps of Engineers for BLM.

Coordination

All activities would be closely coordinated, including the construction schedule, safety and traffic control measures, staging areas for material and equipment, and other construction conditions.

The Proposed Exterior Light Installation may occur independent of the other Proposed Action components.

The Septic system construction would occur simultaneously with the construction of the Fast Pass/Bicycle Lane, and roadway widening to optimize resource and labor coordination in this concentrated area.

All excavations would be coordinated with the local utility providers such as NV Energy.

Permits

The contractor would obtain all necessary permits. This would include obtaining a dust permit and use water trucks to wet down the soil throughout the duration of the project to maintain air quality and mitigate the effect of dust to the public.

Road Construction

The Proposed Project would be constructed in accordance with NDOT standards and specification and would primarily consist of road base aggregate and rolled, sealed asphalt. The asphalt would be sealed, and spray painted with appropriate markings.

Construction Equipment

Roadway and earthwork construction equipment to install the septic system upgrade would be the same for those used in building the Fast Pass, Bicycle, and Ride Share Lanes. In addition, the contractor may require the use of excavators for all pipe trenches and a bulldozer to clear away boulders and topsoil for a new leach field. A small truck-mounted or tracked crane would hoist and place the new septic tank while the old one would be abandoned in place.

Standard highway construction heavy equipment—to include graders, rollers, dump trucks and asphalt pavers—would be used to prepare the road base and asphalt pavement.

Staging

A temporary material and equipment staging area would be established through coordination between the BLM and the construction contractor. It would also require pre-approval by an authorized biologist prior to usage. The priority for staging is to use an existing established area, such as the Fee Station parking lot, to minimize additional temporary disturbance. As more space is required, another staging area for construction materials and heavy equipment would be laid out next to the site large enough to

accommodate construction assets temporarily through the duration. At the end of the project, this area would be restored to its natural state. The staging area would be actively monitored by an authorized biologist to protect wildlife that may wander into the area throughout its use. Vehicles and equipment would be parked within the designated staging area at the end of each day.

Duration

Construction would start at any time throughout the year, although the preferred timeframe of the construction work would span between the months of October and March to avoid active wildlife seasons.

Anticipated construction duration for this effort would be between three to six months. This timeframe may be affected by weather conditions, traffic conditions, and the degree to which vegetation and/or native species may require relocation or other special handling.

Construction would take place mainly between the hours of 6:00 AM and 5:00 PM on weekdays with minimal interference to the services provided at the Fee Station. Some work may occur during off-hours to accommodate necessary lane closures but would still allow for vehicles to flow through the Fee Station and into the Scenic Drive.

Calico Basin is the closest residential area to the construction site at approximately 1 mile NNE of the RRCNCA Fee Station. Since the neighborhood is situated within a basin surrounded by the Calico Hills, noise from construction activities would likely be reduced. To further mitigate noise concerns, off-hour activities if needed, would be scheduled to complete before 8:00 PM, or at another time pre-coordinated with the Calico Basin residents.

Safety and Traffic Control

Standard roadway and earthwork safety protocols including establishing detours and lane changes, erecting safety barriers, and placing temporary warning and traffic signage would be enacted throughout construction.

Traffic control would occur during construction for the Fast Pass Lane and Bicycle Lane and widening of the Entrance Roadway. At these times, the affected lanes would be temporarily closed, and all traffic would be routed through the other lanes. *(See Appendix B: Figure 5 and Figure 7*.) Additional temporary signage and pavement markings would be installed to notify vehicles of lane closures and to guide traffic.

Traffic control would also occur during construction at both ends of the Ride Share Lane where it ties into existing roadways and during construction of the Maintenance/Emergency Vehicle Entrance. At these times, traffic would be redirected around the construction. As necessary, the contractor would ensure traffic is temporarily rerouted around areas of construction. Traffic management resources such as cones and temporary signage would be placed to guide traffic around and away from construction activities.

(See Appendix B: Figure 5 - Drawing of Current Layout of Visitor Entry Lanes; and Figure 7 - Drawing of New Layout with Fast Pass Lane and Bicycle Lane.)

Project Design Features

Design features are specific means, measures or practices that make up the proposed action and alternatives. The following measures would be implemented to avoid or reduce the potential environmental impacts to resources as a result of the project:

Project Design Features for All of Proposed Project

- **General**
  - Dust control measures would be implemented, such as watering affected ground.
  - The Proposed Action would comply with BLM fire restrictions and fire prevention measures.
  - The Proposed Action would comply with measures identified in the BLM's Biological Opinion (BO) to minimize effects on desert tortoise and other sensitive species. Additional measures to reduce impacts to threatened, endangered, and candidate wildlife species can be found in Appendix A – Stipulations and Appendix C – Biological Terms and Conditions.
    - *Note:* At the time of the preparation of this Draft EA, the U.S. Fish and Wildlife Service (USFWS) is reviewing the Proposed Action for the threatened Mojave Desert Tortoise. This consultation is pending, and the outcome will be updated in the Final EA.
  - Mineral materials are not withdrawn and cannot be exported from the project area. Any excess mineral materials produced from the proposed action would be used to reclaim the proposed project area and contoured to match surrounding topography.
  - Staging areas would be contained in previously disturbed areas within the existing Fee Station footprint and parking lot. No excavation is expected, and therefore no excess minerals expected.
  - No additional temporary or permanent disturbances would be made, as all lights would be mounted above grade on existing structures.
  - No structures over 50 feet tall would be erected.
- **Project Design Features for Installation of Exterior Lights**
  - To reduce light pollution and impacts to wildlife and visual resources as coordinated with the BLM Biologist and Visual Resource Specialist, light sources would be:
    - Screened,
    - Directed towards intended targets, Placed at the lowest practical height,
    - Down shielded to keep light within the confines of the site, and
    - Equipped with motion sensors when practicable.
  - When mounting lights above the entry lanes, the affected lane would be closed temporarily with all traffic directed to the other open lanes.
- **Project Design Features for: the Replacement of Fee Station Septic System, Building of a Fast Pass Lane and Bicycle Lane, Widening the Entrance Roadway, Building a**

Ride Share Lane with Improvements to the Existing Parking Lot, and Building a Maintenance/Emergency Vehicle Entrance

- A BLM authorized desert tortoise biologist or a desert tortoise monitor would clear the construction zone and monitor the project area for the presence of desert tortoises throughout construction.
- The BLM authorized desert tortoise biologist would provide desert tortoise awareness training to all onsite construction personnel to ensure they know what to do if they encounter a tortoise.
- Tortoise fencing around construction area may be needed as determined by BLM biologist.
- Desert tortoise fencing would be installed to prevent tortoises from falling into open excavations or burrowing underneath the fence.
- A BLM authorized botanist would survey the area for endemic plants.
- If construction occurs in area where cacti and yucca are present, the cacti and yucca would be salvaged and replanted. Where cacti and yucca may be impacted, a biologist would catalog any damaged or destroyed sensitive species which would be replaced at the end of construction.
- Weed mitigation measures would be enacted to prevent invasive or noxious weed species from spreading or establishing.
- Grading/Construction that produces excess mineral materials during development of the Fast Pass Lane would be reused within the construction project, stockpiled on site for future disposal by BLM, or disposed of concurrently with the excavation activities. If excess mineral materials are to be disposed of by BLM, a mineral material sales contract, free use permit or material site right-of-way would be executed so that the mineral materials can be sold and removed from the site.
- Depending on its final location, if the new septic system is exposed to vehicular traffic, boulders may be strategically placed to prevent vehicles from driving over the shallow leach field and damaging the distribution pipes.

Alternatives Considered but Eliminated from Detailed Analysis

Installation of Exterior Lighting

Non-LED lighting could technically achieve the desired results for illuminating the immediate Fee Station surroundings, but they would not yield the most cost-efficient results. Although other types of light fixtures could be used in lieu of LED, such as high-pressure sodium, these are significantly less energy efficient. Legislation and the Federal Acquisition Regulations require federal agencies to specify and buy ENERGY STAR compliant products such as LED lights or, in component categories not covered by ENERGY STAR, products that meet or exceed efficiency requirements designated by the Federal Energy Management Program (FEMP). Agencies that follow requirements to buy efficient products can realize substantial operating cost savings and reduce pollution.

Replacement of the Fee Station Septic System

Three locations on either side of the Scenic Loop Drive had been considered for the new septic system. One site considered is on the same side of the road as the existing system (east side), but closer to SR159. Two other sites on the Fee Station side of the Scenic Loop Drive (west side), both close to the intersection with SR159, were also considered. Percolation tests at all sample sites generally revealed the soil absorption rate is significantly high and therefore not ideal for effluent dispersal without modifying the soil bed. Therefore, regardless of where the septic system leach field is to be located engineered fill to manage the percolation rate to within 6 inches per minute would need to be added.

During the scoping process for the septic system layout, the engineers decided that none of these three locations would be ideal. The septic pipe run would be significantly longer in all three cases relative to the low anticipated flow rates, potentially leading to depositing/buildup of solid materials along the run of pipe. To minimize this concern, the design team chose to move the new septic system location closer to the Fee Station. They also opted to install a dispersion tank at the leach field manifold by the septic tank. Although not technically necessary for this relatively small system, it would help equalize dosing across the pipes and simplify maintenance.

Building a Fast Pass Lane and Bicycle Lane, Ride Share Lane, Maintenance/Emergency Vehicle Entrance, and Widening the Entrance Roadway

No other alternatives were considered.

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Chapter 3 Affected Environment and Environmental Effects

Resource Evaluation

The BLM Southern Nevada District Office (SNDO) resource specialists reviewed the Proposed Action and found the resources to be present with potential for impact, present with no potential for impact, or not present.

Table 3-1. summarizes the environmental attributes that have been reviewed, whether they would be affected by the Proposed Action, and the rationale for that determination. Elements that would not be affected will not be discussed further. Resources that may be affected are analyzed in further detail in this document. After identifying anticipated environmental effects, mitigation measures are detailed at the end of this chapter to ensure that the Proposed Action would not impact these resources.

Table 3-1. Resources Considered in the Evaluation of the Proposed Action and Alternatives

Resource	May be Impacted (carry forward for analysis)	Present and Not Impacted or Not Present	Rationale for Not Impacted
Air Quality		**X**	The federal Clean Air Act of 1990 requires that air quality throughout the United States meet certain National Ambient Air Quality Standard (NAAQS) for criteria pollutants to protect public health and the environment. The Proposed Action would occur in a non-attainment area (that is, an area not meeting the NAAQS) for PM_{10} and 8-hour ozone and therefore must be managed in accordance with the Clark County SIP. Fugitive emissions from roadwork would be temporary and would not create any lasting impacts to the environment. The design features of the Proposed Action include implementation of dust control measures, such as watering affected ground.

Resource	May be Impacted (carry forward for analysis)	Present and Not Impacted or Not Present	Rationale for Not Impacted
Areas of Critical Environmental Concern		**X**	The Proposed Action is not within an Area of Critical Environmental Concern.
BLM Natural Areas		**X**	The Proposed Action is not within any BLM natural areas.
Cultural Resources		**X**	A class III Cultural Resources Inventory was completed in June 2020. No National Register of Historic Places eligible resources are within the Area of Potential Effect. The cultural investigation resulted in a finding of *no historic properties affected*. Per the Nevada-State Historic Preservation Office (SHPO) State Protocol Agreement (BLM, 2014) actions which result in no adverse effect determinations are considered "under-threshold" and are not included in the class of undertakings requiring SHPO consultation.
Environmental Justice		**X**	The Proposed Action will not adversely or disproportionally impact minority populations, low-income communities, or Tribes (see Section 3.19 and E.O. 12898, Environmental Justice). The Proposed Action would not have a disproportionately high or adverse effect that would place socioeconomic burdens on the citizens of Clark County and nearby cities due to the limited context and intensity of the proposal. No group of people,

Resource	May be Impacted (carry forward for analysis)	Present and Not Impacted or Not Present	Rationale for Not Impacted
			including racial, ethnic, or socioeconomic group would bear a disproportionate share of the negative environmental consequences resulting from the Proposed Action.
Farmlands (Prime or Unique)		**X**	The Proposed Action would not occur within any prime or unique farmlands.
Fish and Wildlife (Excluding Federally Listed Species)	**X**		The Proposed Action has the potential to impact wildlife species, including BLM sensitive species. Impacts are assessed in this EA.
Floodplains		**X**	The Proposed Action would not traverse the Federal Emergency Management Agency (FEMA) 100-year floodplain of the Red Rock Wash (Las Vegas Flood Zones). No fills or other changes would occur within the floodplain as a result of the Proposed Action.
Fuels/Fire Management		**X**	Compliance with BLM fire restrictions and fire prevention measures would mitigate any risks introduced by the Proposed Action.
Geology/Mineral Resources/Energy Production		**X**	The Proposed Action would not result in the temporary removal of mineral materials within the RRCNCA. Mineral materials are not withdrawn and cannot be exported from the project area. Any excess mineral materials produced from the proposed

Resource	May be Impacted (carry forward for analysis)	Present and Not Impacted or Not Present	Rationale for Not Impacted
			action will be used to reclaim the proposed project area and contoured to match surrounding topography.
Greenhouse Gas (GHG) Emissions		**X**	Currently, there are no emission limits for suspected GHG emissions, and no technically defensible methodology for predicting potential climate changes from GHG emissions. However, efforts to address GHG emissions from federal activities, including BLM authorized uses in future planning documents, are ongoing.
Hydrologic Conditions		**X**	The Proposed Action would not affect hydrologic conditions. No fills or other changes to the existing topography would occur.
Invasive Species/ Noxious Weeds		**X**	Design features included in the project would reduce the risk of spreading or introducing noxious or invasive weeds.
Land Use/Access		**X**	The Proposed Action would not produce any changes in land use or access. No changes or closures of existing access point would occur, and no additional access points would be created. Replacement of the septic tank is does not impact access points.
Lands with Wilderness Characteristics		**X**	The Proposed Action is not located within any designated

Resource	May be Impacted (carry forward for analysis)	Present and Not Impacted or Not Present	Rationale for Not Impacted
			lands with wilderness characteristics in the project area.
Livestock Grazing		**X**	The Proposed Action is not located in any authorized grazing allotments.
Migratory Birds/Bald and Golden Eagles	**X**		The Proposed Action has the potential to impact migratory birds and bald and golden eagles. Impacts are assessed in this EA.
National Landscape Conservation System (National Conservation Area)		**X**	The proposed project is within the RRCNCA which is part of the National Landscape Conservation System. The Proposed Action would not affect this status.
Native American Religious Concerns		**X**	Tribal consultation letters were mailed on November 4, 2021. None of the consulting parties have commented at the time of this EA preparation.
Paleontology		**X**	Based on literature review and relevant maps, the Proposed Action is in a Potential Fossil Yield Classification 2 (PFYC2) category area, indicating low potential for paleontological resources. Design features would reduce the risk of any negative impacts to paleontological resources if an unexpected discovery were to occur.
Rangeland Health Standards		**X**	The Proposed Action would not affect underlying ecological conditions of the area. This portion of RRCNCA is not

Resource	May be Impacted (carry forward for analysis)	Present and Not Impacted or Not Present	Rationale for Not Impacted
			grazed or managed to support livestock.
Recreation		**X**	The Proposed Action is not anticipated to negatively affect recreation because much of the work is intended to enhance access. Access to Scenic Loop Drive or other amenities within the RRCNCA would not be affected. Minor and temporary inconveniences to visitors may occur during road widening along SR-159 and the fee station. However, traffic control and coordination with BLM staff would minimize these temporary effects.
Socioeconomics		**X**	The Proposed Action would create economic benefits for construction work and companies by the purchase of materials, but not to a degree that detailed analysis is required. Visitation by the public and commercial tours would not likely be affected as the access to the recreational amenities along SR-159 and within RRCNCA would be maintained.
Soils		**X**	The Proposed Action would not impact soils because the small size of temporary disturbance created by the bore holes would be backfilled with native material.
Threatened, Endangered or	**X**		The Proposed Action could potentially affect the federally

Resource	May be Impacted (carry forward for analysis)	Present and Not Impacted or Not Present	Rationale for Not Impacted
Candidate Animal Species			threatened desert tortoise. Impacts are assessed in this EA. No other federally listed species or candidates for federal listing have the potential to occur in the area. No designated critical habitat for any federally listed animal species occurs in the area.
Threatened, Endangered or Candidate Plant Species			No federally listed threatened or endangered plant species or candidates for federal listing have the potential to occur in the Proposed Action area. No designated critical habitat for any federally listed plant species occurs in the area.
Travel/Tranportation		**X**	The Proposed Action would not affect the road or trail system of the NCA in the long term.
Vegetation (Excluding Federally Listed Species)	**X**		The Proposed Action would impact vegetation. The yellow two-tone beardtongue (*Penstemon bicolor* ssp. *bicolor*), a BLM sensitive species, is known to occur in the area. Cacti and yucca will be impacted by construction. Impacts are assessed in this EA.
Visual Resources		**X**	The Proposed Action would occur in a Visual Resource Management (VRM) Class II area. Any visual change to the landscape would be temporary and disturbed areas would be reclaimed immediately.

Resource	May be Impacted (carry forward for analysis)	Present and Not Impacted or Not Present	Rationale for Not Impacted
Wastes (hazardous or solid)		**X**	While no hazardous waste concerns have been identified in the Proposed Action location, design features are included that detail the steps to be taken, should hazardous waste release occur during Proposed Action implementation.
Water Quality		**X**	The Proposed Action would not affect water quality. No fills or other changes to the existing topography would occur.
Wetlands and Riparian Areas		**X**	There are no wetlands/riparian zones present in the Proposed Project area.
Woodland/Forestry	**X**		See analysis for cacti and yucca, which are forestry resources, within Vegetation section.
Wild Horses & Burros		**X**	The Proposed Action would occur in the Red Rock Herd Management Area where wild burros may be present but would not impact wild horses and burros as compliance with standard stipulations would ensure any wild burros encountered are not interacted with.
Wilderness/Wilderness Study Area (WSA)		**X**	The Proposed Action would not occur within any wilderness or WSAs.

Fish and Wildlife Species (Excluding Federally Listed Species)

Affected Environment

RRCNCA supports a diverse community of nearly 300 wildlife species specially adapted to survive the hot and dry conditions of the Mojave Desert (BLM 2005). Wildlife species in the general area include rodents, rabbits and hares, perching and non-perching birds, raptors, reptiles, amphibians, small mammals, carnivores, hoofed animals, bats, and invertebrates. Based on ecological sensitivity factors of individuals, populations and/or habitats, the three groups of priority management concern within RRCNCA are bats, raptors, and reptiles and amphibians.

BLM sensitive species are those species requiring special management consideration to avoid potential future listing under the Endangered Species Act (ESA) and that have been identified in accordance with procedures set forth in BLM Manual 6840, Special Status Species (BLM 2008). BLM sensitive wildlife species with the potential to occur in the Proposed Action vicinity include the banded Gila monster (*Heloderma suspectum cinctum*), the common chuckwalla (*Sauromalus ater*), the Mojave shovel-nosed snake (*Chionactis occipitalis occipitalis*), the desert glossy snake (*Arizona elegans eburnata*), the Mojave Desert sidewinder (*Crotalus cerastes cerastes*), the western burrowing owl (*Athene cunicularia hypugaea*), and Mojave Desert tortoise (*Gopherus agassizii*), discussed below (BLM 2017).

Banded Gila monster (*Heloderma suspectum cinctum*)

The banded Gila monster inhabits desert scrub, semi-desert grassland and woodland communities along mountain foothills in extreme southwestern Utah, southern Nevada, and adjacent southeastern California south through southern Arizona, southwestern New Mexico, and much of Sonora to Sinaloa, Mexico (NatureServe 2020). Common habitat components include rock crevices, boulders, burrows, and packrat middens used for shelter, typically at elevations above 1,280 feet (NNHP 2020). This species eats bird and reptile eggs and juvenile mammals, including cottontail rabbits and rodents. They are most active from late April through June. Because most of their time is spent in burrows, this species is infrequently seen, and population information may be incomplete. Banded Gila monsters may occur within the vicinity of the Proposed Action but are unlikely to be seen because of their secretive nature.

Common chuckwalla (*Sauromalus ater*)

The common chuckwalla inhabits rocky desert environments with a creosote bush (*Larrea tridentata*) component across southern Nevada, southern Utah, southeastern California, and western Arizona south to southern Baja California and west-central Sonora, Mexico (NatureServe 2020). Common habitat components include lava flows, large boulder piles, and outcrops with rock crevices used for sheltering. Chuckwallas are strict herbivores, preferring flower heads and moist leaves of annual plant species, although perennial plants may also be eaten (NNHP 2020). They may unintentionally ingest insects located on their food plants. Within Nevada, common chuckwallas are found at elevations between 3,300 and 4,500 feet. Chuckwallas are relatively common throughout their Nevada range and likely occur within the vicinity of the Proposed Action but would be localized on rock outcroppings.

Mojave shovel-nosed snake (*Chionactis occipitalis occipitalis*)

The Mojave shovel-nosed snake is a burrowing snake inhabiting sparsely vegetated areas in the Mojave Desert, ranging from southwestern Nevada and southeastern California east to south-central Arizona (NatureServe 2020). These areas are vegetated with mesquite (*Prosopis spp.*)-creosote bush, desert grass, and cactus, and include rocky slopes, dunes, washes, and sandy flats. Mojave shovel-nosed snakes are nocturnal, and feed primarily on insects, spiders, scorpions, and centipedes (NNHP 2020). Within Nevada, Mojave shovel-nosed snakes are found at elevations between 2,780 and 4,250 feet. These snakes may occur within the vicinity of the Proposed Action but are unlikely to be seen because of their nocturnal habit.

Desert glossy snake (*Arizona elegans eburnata*)

The desert glossy snake is a burrowing snake inhabiting barren sandy desert, arid scrub, and rocky washes in southern Nevada, Arizona, and southern Utah (NatureServe 2020). Desert glossy snakes are nocturnal and mainly eat lizards, and occasionally small mammals and other snakes. Within Nevada, desert glossy snakes are found at elevations between 3,180 and 4,400 feet (NNHP 2020). These snakes may occur within the vicinity of the Proposed Action but are unlikely to be seen because of their nocturnal habit.

Mojave Desert sidewinder (*Crotalus cerastes cerastes*)

The Mojave Desert sidewinder is a nocturnal snake inhabiting open desert terrain with fine windblown sand, sandy washes, or sand dunes sparsely vegetated with creosote bush or mesquite across southeastern California, southern Nevada, and extreme southwestern Utah and parts of Arizona (NatureServe 2020). This snake sometimes occurs in rocky or gravelly areas, especially near washes and densely vegetated areas where mammal burrows are common. Prey includes lizards, pocket mice, kangaroo rats, and other small mammals, and occasionally small birds and snakes. Within Nevada, these snakes are found at elevations between 3,088 and 4,567 feet (NNHP 2020). They may occur within the vicinity of the Proposed Action but are unlikely to be seen because of their nocturnal habit.

Western burrowing owl (*Athene cuniculari hypugaea*)

The western burrowing owl inhabits salt desert scrub, Mojave shrub, and some sagebrush habitat throughout Nevada, and frequently overwinter in southern Nevada (BLM 2017). They occur sporadically in valley bottoms, at elevations between 1,644 and 6,240 feet (NNHP 2020). These owls rarely excavate their own burrows, preferring to enlarge or modify existing burrows dug by other species. Burrowing owls are diurnal, and roost on the ground or on low perches, such as fence posts or dirt mounds. They feed primarily on large insects and rodents, and occasionally eat birds and amphibians. Western burrowing owls may occur within the vicinity of the Proposed Action in areas containing previously excavated burrows. The western burrowing owl is also protected under the Migratory Bird Treaty Act (MBTA).

Environmental Effects of the No Action Alternative

Implementation of the No Action Alternative would have no effects to fish and wildlife species, including BLM sensitive species.

Environmental Effects of the Proposed Action

Implementation of the Proposed Action could adversely affect wildlife species within the area, but these effects would not be significant. Short-term effects would be associated with the presence of the construction crew, destruction of habitat from expansion of the fee booth area, and associated noise. Most animals present in the vicinity of the Proposed Action would be disturbed and would likely leave the area. Animals unable to move out of the way of construction could be killed or maimed. However, wildlife species in the general area are common and widely distributed, and the loss of some individuals would not have a significant impact on populations throughout the region. In addition, the area is already heavily used by people and some areas have been previously disturbed. The numbers of wildlife in the immediate area of the fee station are already likely low. Overland drive and crush activities as well as construction clearance of the area would disturb wildlife habitat and may result in the permanent loss of 2.6 acres of perennial vegetation. However, large areas of undisturbed habitat adjacent to the Proposed Action provide sufficient habitat for any species using the habitat around the fee station, so any habitat losses would not be significant. Any drive and crush activities would leave the soil surface and seed bank intact, decreasing the likelihood of habitat degradation by invasive species.

No long-term effects to wildlife are anticipated from the Proposed Action.

- **BLM Sensitive Species**

  Effects to BLM sensitive species would be the same as those to general wildlife. These effects are not anticipated to lead to further decline of any species range-wide and would not contribute to listing under the ESA.

Mitigation Measures

- Permittee shall not damage, collect, or introduce plants or animals at any location within RRCNCA without permission from the Authorizing officer.
- The Permittee and participants will not harass, feed, or collect wildlife or plants while in RRCNCA.
- If artificial water sources are used, wildlife escape ramps must be installed. Ensure escape ramps are properly designed and installed to allow wildlife to exit in the event an animal falls into the water source.
- Project materials, supplies or equipment where wildlife could temporarily hide will be inspected prior to moving them to reduce the potential for injury to wildlife. Materials, supplies and equipment that cannot be inspected, or from which wildlife cannot escape or be removed, will be covered, or otherwise made secure from wildlife intrusion or entrapment at the end of each workday.
- Construction of any infrastructure would be designed to prevent wildlife from becoming trapped in open pipes or any other materials with open holes. All pipes would be capped to prevent access by wildlife.
- If any Gila monster are encountered during project construction, they must be reported immediately to the Nevada Division of Wildlife at (702) 486-5127.

Migratory Birds/Bald and Golden Eagles

Affected Environment

The Migratory Bird Treaty Act (MBTA) (16 United States Code [U.S.C.] 703 et. seq.) protects migratory birds that are native to the United States or U.S. territories, and their nests (nests with eggs or young). The MBTA prohibits the "take" of protected migratory bird species without prior authorization by the U.S. Fish and Wildlife Service (USFWS). "Take" includes killing, capturing, selling, trading, and transporting a protected species. An updated list of protected migratory bird species can be found in 50 CFR 10.13. The USFWS Information for Planning and Consultation (IPAC) list identifies seven birds of conservation concern with the potential to occur in the vicinity of the Proposed Action (USFWS 2020). These species are Bendire's thrasher (*Toxostoma bendirei*), black-chinned sparrow (*Spizella atrogularis*), Costa's Hummingbird (*Calypte costae*), gray vireo (*Vireo vicinior*), Le Conte's Thrasher (*Toxostoma lecontei),* rufous hummingbird (*Selasphorus rufus*), and rufous-winged sparrow (*Aimophila carpalis*). These species nest within the cactus, yucca, and shrubs found within the RRCNCA. The combined breeding season for these species generally occurs from January 15 through September 30.

The Bald and Golden Eagle Protection Act (16 U.S.C. 668 et. seq.) prohibits the "take" of bald and golden eagles. The USFWS IPAC list identifies the golden eagle (*Aquila chrysaetos*) as having potential to occur in the vicinity of the Proposed Action (USFWS 2020). Within Nevada, golden eagles predominantly nest on rock ledges in cliff habitat (NNHP 2020). The breeding period for this species generally occurs from December 1 through August 31. There are no known occurrences of bald eagles in the vicinity of the Proposed Action, nor is there suitable habitat.

Environmental Effects of the No Action Alternative

Implementation of the No Action Alternative would have no effect on migratory birds or golden eagles.

Environmental Effects of the Proposed Action

Implementation of the Proposed Action could adversely affect migratory birds, but these effects would not be significant. Short-term effects would be associated with the presence of the construction crew, destruction of habitat from expansion of the fee booth area, and associated noise. Migratory birds present in the vicinity of the Proposed Action would be disturbed and would likely leave the area. Migratory bird unable to move out of the way of construction could be killed or maimed. However, wildlife species in the general area are common and widely distributed, and the loss of some individuals would not have a significant impact on populations throughout the region. The geotechnical investigations could potentially overlap with nesting season, but a biological monitor walking in advance of the construction crew would look for any nests and direct any construction away from these areas. Therefore, the potential to disturb nesting birds or their nests is low. The construction crews would also comply with the MBTA and the BLM's Nesting Bird Management Plan. Construction crews would not intentionally harass any birds they encounter. The numbers of wildlife in the immediate area of the fee station are already likely low. Overland drive and crush activities as well as construction clearance of the area would disturb wildlife habitat and may result in the permanent loss of 2.6 acres of perennial vegetation. However, large areas of undisturbed habitat adjacent to the Proposed Action provide sufficient habitat for any species using the habitat around the fee station, so any

habitat losses would not be significant. Any drive and crush activities would leave the soil surface and seed bank intact, decreasing the likelihood of habitat degradation by invasive species.

The Proposed Action is unlikely to negatively affect golden eagles. Any golden eagles in the area would be temporarily disturbed by the construction but may return after the completion of the construction. This location is in a busy part of RRCNCA, so golden eagle use of the immediate area is likely very low. No potential nesting habitat for golden eagles would be disturbed.

No long-term effects to migratory birds or golden eagles are anticipated from the Proposed Action.

Mitigation Measures

- To prevent undue harm, habitat-altering projects or portions of projects should be scheduled outside bird breeding season. In upland desert habitats and ephemeral washes containing upland species, the season generally occurs between January 15 and September 30.
- If a project that may alter any breeding habitat has to occur during the breeding season, then a qualified biologist must survey the area for nests prior to commencement of construction activities. This shall include burrowing and ground nesting species in addition to those nesting in vegetation. If any active nests (containing eggs or young) are found, an appropriately sized buffer area must be avoided until the young birds fledge. As the above dates are a general guideline, if active nest are observed outside this range they are to be avoided as described above.
- Projects that require ground disturbance or actions that could affect nesting birds, should try to be scheduled outside of the bird breeding season. Breeding season in the SNDO generally occurs from February 15 to August 31. If a project cannot be schedule outside of those dates, a qualified biologist may be required to conduct a survey for nesting birds prior to commencement of activities, as determined by BLM. If active nests are found, methods to reduce project impacts to nesting birds will be developed in coordination with the BLM, such as an appropriately sized buffer area must be established and maintained until the young birds fledge. If feasible, the buffer area should connect to suitable, undisturbed habitat. As the above dates are a general guideline, any active nests that are observed outside this range, must be avoided as described above.
- Any infrastructure for projects will be designed and constructed in a manner that does not allow open pipes that birds or other wildlife could be trapped in. This includes fencing, gates, or other materials with open holes. All open pipes will be capped or secured so that wildlife cannot access.
- If lighting is installed on buildings or required by the Federal Aviation Administration (FAA), lighting on buildings should be down-shielded and those structures/towers required by FAA to have lighting installed, should have flashing lights with the minimum intensity required by the FAA to prevent migratory bird collisions.
- If project involves power lines and/or power line posts, the Holder shall follow Avian Power Line Interaction Committee (APLIC) guidelines to reduce this risk through facility design and comply with MBTA and other federal wildlife laws, due to potential for electrocution, collision, and nesting/perching by migratory birds on overhead power lines.

- If guy wires are used on structures (including power line posts and communication towers) they must be marked with bird diverters, so they are visible to prevent injury/mortality to birds through collision.

Threatened, Endangered or Candidate Animal Species

Affected Environment

Federally listed threatened and endangered animal species are managed by the USFWS and receive protection under the ESA, as amended (16 USC 1531 et. seq.). Candidate species are those species that may warrant future protection under the ESA. The USFWS IPAC list identifies four listed species with the potential to occur in the vicinity of the Proposed Action: the southwestern willow flycatcher (*Empidonax traillii extimus*; federally endangered [FE]), the Yuma Ridgway's rail (*Rallus obsoletus yumanensis*; FE), the Mojave desert Tortoise (*Gopherus agassizii*; federally threatened), and the Pahrump Poolfish (*Empetrichthys latos*; FE) (USFWS 2020). No designated critical habitat for any species occurs within this portion of RRCNCA. The Mojave desert tortoise is the only federally listed species with known occurrences in the vicinity of the Proposed Action.

The Mojave desert tortoise inhabits a variety of habitats, from flats and slopes dominated by creosote bush scrub at lower elevations to rocky slopes in blackbrush (*Coleogyne ramosissima*) and juniper (*Juniperus spp.*) woodland transition zones at higher elevations (NNHP 2020). Within Nevada, they are found at elevations between 650 to 4,770 feet. They spend most of their time in their burrows, and eat a wide variety of herbaceous vegetation, especially grasses and the flowers of annual plants. They are also known to eat woody perennials, cacti, and non-native species, such as red brome (*Bromus rubens*) and red-stem filaree (*Erodium cicutarium*). Several Mojave desert tortoises have been observed in the vicinity of the Proposed Action over the years, but those are rare occurrences in this busy area.

Environmental Effects of the No Action Alternative

Implementation of the No Action Alternative would have no effect on any federally listed threatened, endangered or candidate animal species or designated critical habitat

Environmental Effects of the Proposed Action

Implementation of the Proposed Action could adversely affect the federally threatened Mojave desert tortoise, but these effects would be less than significant. The Proposed Action would occur within known occupied habitat for Mojave desert tortoise, and several individuals have been observed crossing the roads near the fee station booth over the years. Short-term effects would be associated with the presence of the construction crew, destruction of habitat from expansion of the fee booth area, and associated noise.Desert tortoise are slow-moving and spend much of their time in burrows, and any animals in the path of the construction crews could be crushed. A biological monitor would walk in advance of the drill rig to identify potential burrows to avoid and move any desert tortoises out of harm's way. The Proposed Action would also implement the minimization measures described in the Red Rock Canyon NCA Programmatic Biological Opinion (File No. 1-5-04-F-526), which would reduce the number of potential mortalities. While some desert tortoises could still be killed, the number of potential tortoise mortalities resulting

from the Proposed Action would not warrant a change in listing status from threatened to endangered under the ESA.

The proposed Project would have no effect on any other federally listed species, candidate species for federal listing, or designated critical habitat.

Mitigation Measures

- The Holder will comply with the minimization measures stipulated in the Red Rock Canyon NCA Programmatic Biological Opinion (File No. 1-5-04-F-526). These include:
    - Vehicles: All project/event-related individuals shall check underneath stationary vehicles before moving them.
    - Vehicle traffic: Shall be restricted to SR-159 and Scenic Loop Drive, unless otherwise authorized by BLM and the Service (those boring locations identified along the return route).
    - Tortoise mortality/injury: BLM wildlife staff (702/515-5000) and the Fish and Wildlife Service (702/515-5230) must be notified of any desert tortoise death or injury due to the project implementation by close of business on the following workday. In addition, the Service's Division of Law Enforcement shall be notified in accordance with the reporting requirements of this Biological Opinion.
    - Tortoise activity: The period of greatest tortoise activity is generally defined as March 1 – Oct 31. However, unseasonably warm weather and/or precipitation outside this period may result in tortoise activity, particularly by hatchling and juvenile tortoise, and thus warrant adherence to requirements established for periods of greater activity. Similarly, BLM may determine that additional measures are appropriate for projects planned for the end or beginning of either period if conditions are suitable for desert tortoises to be active.
    - Education Program: BLM or their designee shall present a tortoise education program to all workers, permittees, and other employees or participants involved on projects covered under this opinion. The program will consist of either a presentation or fact sheet as determined by project level consultation between BLM and the Fish and Wildlife Service. The program or fact sheet will include information on the life history of the desert tortoise, legal protection for desert tortoises, penalties for violations of Federal and State laws, general tortoise activity patterns, reporting requirements, measures to protect tortoises, terms and conditions of the Biological Opinion, and personal measures employees can take to promote the conservation of desert tortoises. The definition of "take" will also be explained. Workers and project associates will be encouraged to carpool to and from the project sites. Specific and detailed instructions will be provided on the proper techniques to capture and move tortoises which appear onsite if appropriate, in accordance with Fish and Wildlife Service-approved protocol. Currently, the Fish and Wildlife Service-approved protocol is Desert Tortoise Council 1994, revised 1999.
    - Project oversight: A BLM representative(s) shall be designated who will be responsible for overseeing compliance with the reasonable and prudent measures, terms and conditions, reporting requirements, and reinitiation requirements

contained in this Biological Opinion. The designated representative shall provide coordination among the permittee, project proponent, BLM, and the Service.

- Desert tortoise burrows: A desert tortoise monitor will walk in front of the drill rig along the proposed route alignments to look for tortoise burrows and live tortoises. If a burrow is located, the truck will be rerouted around the burrow to prevent damage. If a tortoise is found, all activities shall cease until the tortoise moves out of the area on his own accord.
- Reporting: The project proponent, permittee, or project lead if an internal action, must submit a document to BLM wildlife biologist within 30 days of completion of the project showing the number of acres disturbed and number of tortoises observed or taken, which includes capture and displacement, killed, injured, or harassed by other means, during implementation of programmatic actions.
- Project boundaries: All activities shall be confined to designated areas.
- Additional measures to reduce impacts to threatened, endangered, and candidate wildlife species can be found in Appendix A – Stipulations and Appendix C – Biological Terms and Conditions**.**
- *Note:* At the time of the preparation of this Draft EA, the U.S. Fish and Wildlife Service (USFWS) is reviewing the Proposed Action for the threatened Mojave Desert Tortoise. This consultation is pending, and the outcome will be updated in the Final EA.

- Compliance with the special stipulations below will help to ensure desert tortoises are not impacted:

  1.1.1. A speed limit of 25 miles per hour shall be required for all vehicles travelling on existing roads.

  1.1.2. Should a desert tortoise enter the area of activity, all activity shall cease until such time the animal leaves the area of its own accord.

  1.1.3. All drivers must check underneath vehicles and equipment before moving to ensure no tortoise has taken cover underneath parked vehicles.

Vegetation (Excluding Federally Listed Species)

Affected Environment

The proposed fee station expansion occurs withina mixed creosote bush plant community. The creosote bush community generally occurs on valley floors and benches at elevations below 3,600 feet. In addition to creosote bush, other dominant species in this community include white bursage (*Ambrosia dumosa*), desert-thorn (*Lycium andersonii*), hopsage (*Grayia spinosa*), several cactus species, and the invasive grasses red brome (*Bromus rubens*) and cheatgrass (*Bromus tectorum*). The blackbrush community generally occurs on bajada terraces with shallow soils at elevations between 3,500 and 6,000 feet. Other dominant species found in this community include Joshua tree (*Yucca brevifolia*), banana yucca (*Y. baccata*), Mormon tea (Ephedra spp.), and horsebrush (*Tetradymia spp.*). Grass species include big galleta (Hilaria rigida) and desert needle grass (*Achnatherum speciosum*). Cacti and yucca species, including Joshua trees (*Yucca brevifolia*) are present within the Proposed Action area.

Three BLM sensitive plant species have the potential to occur in the vicinity of the Proposed Action: Blue Diamond cholla (*Cylindropuntia multigeniculata*), yellow twotone beardtongue (*Penstemon bicolor ssp. bicolor*) and rosy twotone beardtongue (*Penstemon bicolor ssp. roseus*) (Kobelt, pers. comm. 2019). Several populations of yellow twotone beardtongue were identified in the vicinity of the Proposed Action during biological surveys in May 2020. However, no sensitive species were identified in the areas that would be impacted by the Proposed Action during a site visit in 2020 (Lara Kobelt, per comments.).

The yellow twotone beardtongue is endemic to Clark County, Nevada, and is known from approximately 31 occurrences scattered on mostly Bureau of Land Management and private lands immediately adjacent to the Las Vegas urban area (NNHP 2001). It inhabits calcareous or carbonate soils in washes, roadsides, rock crevices, outcrops, or similar places receiving enhanced runoff at elevations between 2500 and 5480 feet. Associated vegetation communities include creosote-bursage, blackbrush, mixed-shrub, and lower juniper zones.

The Nevada Revised Statutes (NRS) defines a noxious weed as "any species of plant which is, or likely to be, detrimental or destructive and difficult to control or eradicate" (NRS 555.130). Forty-seven species are currently listed as noxious weeds within Nevada (Nevada Administrative Code [NAC] 555.010). Several populations of African mustard (*Brassica tournefortii*), also known as Sahara mustard, were identified in the vicinity of the Proposed Action during biological surveys in May 2020.

Environmental Effects of the No Action Alternative

Implementation of the No Action Alternative would result in no change to current vegetation trends in the project vicinity, although additional gradual edge effects from foot traffic around the entrance station are expected to continue to proliferate.

Environmental Effects of the Proposed Action

Implementation of the Proposed Action could adversely affect vegetation in the area. In relation to the larger vegetation communities relative to the area impacted by the Proposed Action, these effects are not anticipated to be significant. Short-term effects would include edge effects from the construction associated with the expansion of the fee station and the other improvements. Both short- and long-term effects include permanent vegetation loss in the expansion area, totaling 2.6 acres.

The Proposed Action is unlikely to affect yellow twotone beardtongue. While several individuals were identified in the vicinity of the Proposed Action, none were located within the Proposed Action area (Kobelt 2020 per comments).

Cacti and yucca will be within the Proposed Action impacted area, but these plants will be salvaged and used as landscaping around either the fee station, parking lots near the fee station, or the visitor center. Cacti and yucca will not be moved into any other location to avoid potentially spreading invasive or noxious weeds.

The Proposed Action could potentially contribute to the spread of invasive or noxious weeds, but design features would reduce this effect to not create significant impacts. All equipment and vehicles, including undercarriages, would be cleaned of soils and plant materials before entering and leaving BLM property.

Impacts to vegetation as a result of this project are localized to the area immediately surrounding the existing fee station. The Proposed Action will not result in a significant detrimental impact to vegetation communities as a whole in Red Rock.

Mitigation Measures

- Cacti and yucca will be within the Proposed Action impacted area, but these plants will be salvaged and used as landscaping around either the fee station or the visitor center. Cacti and yucca will not be moved into any other location to avoid potentially spreading invasive or noxious weeds.
- In any temporary disturbance areas, all vegetation will be salvaged and replanted after construction.
- Follow Weed Standard Terms and Conditions.

Chapter 4 Consultation and Coordination

Scoping and Public Participation

Internal Scoping

BLM Southern Nevada District Resource Specialists reviewed the proposed action and provided comments on potential beneficial or adverse impacts.

Public Scoping

No public scoping was conducted for this Proposed Action. A summary of the Proposed Action and Environmental Assessment was provided for public review on the National NEPA Register.

Summary of Consultation

Consultation was conducted with local Native American tribes to help assess impacts on Native American Traditional Cultural Properties. These interactions are detailed below in Table 4.1, List of Tribal Outreach, Contact and Consultation.

Table 4.1. List of Tribal Outreach, Contact, and Consultation

Date	Type	Parties	Responses
November 4, 2021	Certified letters sent on to Council leaders and appropriate Tribal Historic Preservation Officer (THPO)/Cultural Director	• Moapa Band of Paiutes • Chemehuevi Indian Tribe • Las Vegas Paiute Tribe • Hualapai Tribe • Hopi • Fort Mojave Indian Tribe • CRIT • 29 Palms • Timbisha Shoshone	None of the consulting parties have commented at the time of this EA preparation.

Table 4.2, List of Persons, Agencies and Organization Consulted, outlines consultations with additional agencies and individuals.

Table 4.2. List of Persons, Agencies and Organizations Consulted

Name	Purpose & Authorities for Consultation or Coordination	Findings & Conclusions
US Army Corps of Engineers (USACE)	Engineering and Design for all Fee Station Improvements	Prepare Design and Oversee Construction
S&B Christ Consulting	Contracted Architect/Engineer Firm Consulted on Septic Design	Prepare Design Recommendations and Calculations for USACE

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Chapter 5 List of Preparers

Table 5.1 List of Preparers

Name	Title	Resource
Raymond Tsui	District Civil Engineer	Project Lead
Annette Neubert	Red Rock/Sloan Field Office Archaeologist	Cultural Resources; Native American Religious Concerns
Boris Poff	District Hydrologist	Floodplains; Hydrologic Conditions; Soils; Water Quality; Wetlands and Riparian Areas
Braydon Gaard	Outdoor Recreation Specialist – Wilderness	Lands with Wilderness Characteristics; Wilderness; Wilderness Study Areas (WSAs)
Corey Lange	Wildlife Biologist	Fish and Wildlife (Excluding Federally Listed Species); Migratory Birds/Bald and Golden Eagles; Threatened, Endangered or Candidate Animal Species
Jeremiah Wagener	Geologist	Geology/Mineral Resources/Energy Production
Joanie Guerrero	Realty Specialist	Land Use/Access
Kathy August	Outdoor Recreation Specialist	National Landscape Conservation System (National Conservation Area); Recreation; Travel/Transportation; Visual Resources
Lara Kobelt	Botanist	Farmlands; Livestock Grazing; Rangeland Health Standards; Threatened, Endangered or Candidate Plant Species; Vegetation (Excluding Federally Listed Species); Woodland/Forestry
Lisa Christianson	Environmental Protection Specialist	Air Quality; Greenhouse Gas (GHG) Emissions; Wastes (hazardous or solid)
Mary Ellis	Geologist	Paleontology
Sean McEldery	Supervisory Fire Management Specialist (Fuels/Fire Planner)	Fuels/Fire Management
Susan Farkas	Planning & Environmental Coordinator	Environmental Justice; Socioeconomics
Tabitha Romero	Wild Horse and Burro Specialist	Wild Horses & Burros
Tarl Norman	Weed Management Specialist	Invasive Species/Noxious Weeds

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Chapter 6 References

Bureau of Land Management (BLM) 2005. Bureau of Land Management. Resource Management Plan. May 20, 2005.

-- 2008. Manual 6840 - *Special Status Species Management*. Washington, D.C.: Department of the Interior, Bureau of Land Management. December 12.

-- 2017. *Updated Bureau of Land Management Sensitive Species List for Nevada*. https://www.blm.gov/policy/nv-im-2018-003.

NatureServe 2020. *NatureServe Explorer* [web application]. NatureServe, Arlington, Virginia. July 1. https://explorer.natureserve.org/.

Nevada Natural Heritage Program (NNHP). 2001. *Species Information*. http://heritage.nv.gov/species/.

-- 2020. *Species Information*. http://heritage.nv.gov/species/.

U.S. Fish and Wildlife Service (USFWS). 2020. *Information for Planning and Consultation* (IPaC). July 1. http://ecos.fws.gov/ipac/.

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Appendix A

Stipulations
for

Fee Station Infrastructure Improvements and Right-of-Way Issuance at Red Rock Canyon National Conservation Area

DOI-BLM-NV-S020-2020-0015-EA

Case File #: N-99657

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Standard Stipulations and Mitigation Measures

for
Fee Station Infrastructure Improvements and Right-of-Way Issuance at Red Rock Canyon National Conservation Area

Case File: N-99657

The following stipulations and mitigation measures must be implemented unless they are not applicable to the Proposed Action. Those standard stipulations and mitigation measures that include "if applicable, if used, or if constructed" are to be implemented if the Proposed Action includes that activity or design.

1. General Resource Stipulations

1.1. The Holder shall comply with all applicable local, state, and federal laws and regulations for the protection of resources and the environment, to include but not limited to air, cultural, hazmat, soil, vegetation, water, wildlife.

1.2. As part of project reclamation, the Holder will be responsible for ensuring that any boreholes, wells, or other openings in the ground are backfilled and properly covered, according to the Nevada Regulatory Statues.

1.3. The Holder shall remove from public land and properly dispose of any and all trash, litter, debris, waste, excess materials, including flagging and signs, or other substances and materials resulting from the use under this authorization. All trash and food items shall be promptly contained within closed, raven-proof containers.

2. Threatened, Endangered or Candidate Animal Species

2.1. Compliance with the special stipulations below will help to ensure desert tortoises are not impacted:

2.1.1. A speed limit of 25 miles per hour shall be required for all vehicles travelling on existing roads.

2.1.2. Should a desert tortoise enter the area of activity, all activity shall cease until such time the animal leaves the area of its own accord.

2.2. All drivers must check underneath vehicles and equipment before moving to ensure no tortoise has taken cover underneath parked vehicles.

2.3. The Holder will comply with the terms and conditions of the Biological Opinion File No. 1-5-04-F-526 for this project. The Biological Opinion is on file at the Bureau of Land Management, Southern Nevada District Office. The terms and conditions are attached.

2.4. The Holder, upon completion of the Proposed Action, must submit Appendix G - Report to the BLM for the U.S. Fish and Wildlife Service. Please forward the Appendix G Report to the:

Bureau of Land Management
Attn: Wildlife Biologist
4701 N. Torrey Pines Drive,
Las Vegas, Nevada 89130

Failure to abide by the terms and conditions of the grant and Biological Opinion, could result in temporary suspension of all activities within the area per 43 CFR 2807.16 and 43 CFR 2807.17.

3. Cultural and Paleontological Resources

3.1. Any cultural and/or paleontological resources (historic or prehistoric site or object) discovered by the Holder, or any person working on his behalf on public or federal lands shall be immediately reported to the Authorized Officer. Holder shall immediately suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the Authorized Officer. The Holder will make every effort to protect the site from further impacts, including looting, erosion, or other human or natural damage. In some cases, this may delay activity at the site until the discovery may be recovered, or the project is modified to avoid impacting the find.

3.2. An evaluation of the discovery will be made by the Authorized Officer to determine appropriate actions to prevent the loss of significant cultural or paleontological values. Any decision regarding suitable mitigation measures will be made by the Authorized Officer after consulting with the Holder. The Holder will be responsible for the cost of evaluation. Holder shall be responsible for the resultant mitigation costs.

4. Hazardous Materials

4.1. If hazardous materials/substances are used or present within the authorized area, the Holder shall immediately notify the Authorized Officer of any release (leaks, spills, etc.) of hazardous substances, toxic substances, or hazardous waste. As required by law, Holder shall have responsibility for and shall take all action(s) necessary to respond to and fully remediate releases (leaks, spills, etc.) within the authorized area. A copy of any report required or requested by any federal, state, or local government agency as a result of a reportable release or spill of any hazardous substances shall be furnished to the Authorized Officer concurrent with the filing of the reports to the involved federal, state, or local government agency.

5. Survey Monuments

5.1. Holder shall protect all survey monuments found within the authorization area. Survey monuments include, but are not limited to, General Land Office and Bureau of Land Management Cadastral Survey Corners, reference corners, witness points, U.S. Coast and Geodetic Survey benchmarks and triangulation stations, military control monuments, and recognizable civil (both public and private) survey monuments. If any of the above are to be disturbed during operations, the Holder shall secure the services of

a Professional Land Surveyor or Bureau cadastral surveyor to perpetuate the disturbed monuments and references using surveying procedures found in the Manual of Instructions for the Survey of the Public Lands of the United States and Nevada Revised Statutes, Chapter 329, Perpetuation of Corners. The Holder shall record such survey in the appropriate county and send a copy to the Authorized Officer. If the Bureau cadastral surveyors or other federal surveyors are used to restore the disturbed survey monuments, the Holder shall be responsible for the survey cost.

6. **Fire and Fuels Management**

6.1. Compliance with fire restrictions is mandatory while fire restrictions are in effect (43 CFR 9212). Fire restrictions are generally enacted May through October. Fire restriction orders are available for review at BLM district offices and on the BLM website.

6.2. The use of standard fire prevention measures should be practiced at all times (43 CFR 2805.12). Conditions that support wildfires can occur any time of the year in Southern Nevada.

6.3. The Holder shall immediately report fires to 911 or (702) 631-2350 and make all accommodations to allow immediate safe entry of firefighting apparatus and personnel.

6.4. An Origin and Cause Investigation will be carried out on any human caused fire by BLM law enforcement or their designated representative. To minimize disturbance of potential evidence located at the fire scene, the applicant/proponent shall properly handle and preserve evidence in coordination with the BLM. The BLM shall pursue cost recovery for all costs and damages incurred from human-caused fires on BLM lands when the responsible party(s) has been identified and evidence of legal liability or intent exists. Legal liability includes, but is not limited to, negligence and strict liability (including statutory and contractual liability), products liability, etc.

7. **Vegetation**

7.1. Restoration – for any habitat-disturbing activities (ground disturbance outside of maintenance in roads, permanently-disturbed areas, etc.):

7.1.1. For temporary habitat disturbance, the holder/permittee/assignee/proponent is responsible for filling out BLM's Restoration Plan Template, which describes how temporary disturbance will be restored, to BLM for approval prior to issuance of authorization of habitat-disturbing activities.

7.1.2. For permanent habitat disturbance, the holder/permittee/assignee/proponent is responsible for developing a decommissioning plan, following BLM's Restoration Plan Template, to be approved by BLM prior to issuance of authorization of habitat-disturbing activities, which describes how permanent disturbance will be restored.

7.1.3. Disturbances will not be released from restoration requirements until the standards are met as described in BLM's Restoration Plan Template. Limit disturbance as much as possible to reduce restoration timelines. Weed Management stipulations must be followed.

7.1.4. Any use of seed or native plant materials will be approved by BLM in advance, and plant materials must originate from the appropriate Seed Transfer Zone and have appropriate seed tags, evidence of permits, and be weed free.

7.2. Cacti, Yucca, and Succulent Species:

7.2.1. For temporary habitat disturbance, cacti, yucca, or other succulent species that cannot be avoided must be salvaged by a BLM-approved contractor, stored appropriately during construction, and then planted back into the disturbed area in natural patterns and densities after construction. Survival standard is 80%. Coordinate with BLM.

7.2.2. For permanent habitat disturbance, cacti, yucca, or other succulent species in permanent disturbance areas must be salvaged by a BLM-approved contractor and moved to a BLM storage facility; in some circumstances when there are too many plants to be used, BLM may issue a forestry permit for destruction of these species. Coordinate with BLM.

8. Non-Native and Invasive Species and Noxious Weeds

8.1. Weed Management Plan - is required for any ground-disturbing activities greater than 1 acre:

8.1.1. The holder/permittee/assignee/proponent is responsible for filling out BLM's Weed Management Plan Template, to be approved by BLM prior to issuance of authorization of initial habitat-disturbing activities, which describes how weed treatment will be conducted.

8.2. The holder/permittee/assignee/proponent is, for the lifetime of the responsibility for the disturbance or ROW, responsible for:

8.2.1. Surveying for, and treating, all noxious weeds within the disturbed area during biologically appropriate times and before the noxious weeds have gone to seed.

8.2.2. Surveying for, and treating, non-native weeds within the disturbed area during biologically appropriate times and before the non-native weeds have gone to seed. Non-native weeds that were common in the project area prior to disturbance must be kept at levels (cover and density) less than or equal to pre-disturbance. Non-native weeds that were not common or non-existent in the project area prior to disturbance must all be treated (this also applies to new introductions that spread off the disturbed area/ROW).

8.2.3. Monitoring for, and reporting to BLM, non-native and noxious weeds occurrence, spread, and treatment (providing treatment data).

8.3. Any new detections of non-native or noxious weeds shall be reported to the SNDO Weed Management Specialist immediately (702-515-5000) to determine best course for treatment.

8.4. The use of pesticide treatment requires the holder/permittee/assignee/proponent to coordinate with the BLM SNDO weed management specialist (702-515-5000) and prepare, submit, obtain, and maintain a pesticide use proposal (PUP) to utilize pesticides for project activities. The proponent shall submit a new PUP 6 months prior to their current PUP's expiration date.

8.5. In order to reduce the accidental spread of non-native and noxious weeds, the holder/permittee/assignee/proponent and any contractors shall avoid or minimize all types of travel through a state listed noxious weed-infested areas that can be carried to

the project area. In order to minimize the threat of spreading noxious weeds project-related equipment (i.e., undercarriages and wheel wells) should be cleaned of all mud, dirt, and plant parts before moving into relatively weed-free areas or out of relatively weed-infested areas. Project workers shall inspect, remove, and dispose of weed seed and plant parts found on their clothing and personal equipment, bag the product, and dispose of it in a dumpster. If you have questions, consult with the BLM SNDO noxious weed coordinator.

8.6. During construction and maintenance activities the holder/permittee/assignee/proponent shall:

8.6.1. Review the annual weed inventory prior to any ground disturbance.
8.6.2. Limit the size of any vegetation and/or ground disturbance to the absolute minimum necessary to perform the activity safely and as designed.
8.6.3. Begin activities in weed free areas whenever feasible before operating in weed-infested areas.
8.6.4. Locate equipment storage, machine and vehicle parking or any other area needed for the temporary placement of people, machinery and supplies in areas that are relatively weed-free.
8.6.5. Avoid or minimize all types of travel through weed-infested areas or restrict major activities to periods of time when the spread of seed or plant parts are least likely.

8.7. If landscaping is part of the project design, the Holder/permittee/assignee/proponent will ensure that landscaping does not contain non-native species or state-listed noxious weeds, such as fountaingrass (*Pennisetum setaceum*).

9. Mineral Resources

9.1. If construction activities produce excess mineral materials from within the boundaries of the Proposed Action, the mineral materials must be used within the boundaries of the Proposed Action or stockpiled within the boundaries of the Proposed Action for future disposal by the BLM.

9.2. If construction activities require that excess mineral materials be exported from within the boundaries of the Proposed Action as they are generated, then written authorization, a mineral material sales contract, a free-use permit, etc. must be obtained from the BLM by the Holder prior to exporting the excess mineral materials from within the boundaries of the Proposed Action.

9.3. If mineral materials are to be stockpiled on site for a future disposal, specific BLM use authorization in the form of a written authorization, mineral material sales contract, free-use permit, etc. must be obtained from the BLM prior to exporting the excess mineral materials from within the boundaries of the Proposed Action.

10. Migratory Birds

10.1. Projects that require ground disturbance or actions that could affect nesting birds, should try to be scheduled outside of the bird breeding season. Breeding season in the SNDO generally occurs from February 15 to August 31. If a project cannot be schedule outside of those dates, a qualified biologist may be required to conduct a survey for

nesting birds. If nesting birds are found, methods to reduce project impacts to nesting birds will be developed in coordination with the BLM.

10.2. Any infrastructure for projects will be designed and constructed in a manner that does not allow open pipes that birds or other wildlife could be trapped in. This includes fencing, gates, or other materials with open holes. All open pipes will be capped or secured so that wildlife cannot access.

10.3. If lighting is installed on buildings or required by the FAA, lighting on buildings should be down shielded and those structures/towers required by FAA to have lighting installed, should have flashing lights with the minimum intensity required by the FAA to prevent migratory bird collisions.

10.4. If project involves power lines and/or power line posts, the Holder shall follow Avian Power Line Interaction Committee (APLIC) guidelines (Suggested Practices for Avian Protection on Power Lines (2006) and Reducing Avian Collisions with Power Lines (2012)) to reduce this risk through facility design and comply with MBTA and other federal wildlife laws, due to potential for electrocution, collision, and nesting/perching by migratory birds on overhead power lines.

10.5. If guy wires are used on structures (including power line posts and communication towers) they must be marked with bird diverters, so they are visible to prevent injury/mortality to birds through collision.

11. Fish and Wildlife, Excluding Federally Listed Species

11.1. If artificial water sources are used, ensure that they have a properly installed and designed escape ramp to allow for wildlife to flee in the event of accidental entrapping.

11.2. Project supplies or equipment where wildlife could temporarily hide will be inspected prior to moving them to reduce the potential for injury to wildlife. Supplies and equipment that cannot be inspected, or from which wildlife cannot escape or be removed, will be covered or otherwise made secure from wildlife intrusion or entrapment at the end of each workday.

11.3. If any Gila monsters are encountered during project construction, they must be reported immediately to the Nevada Division of Wildlife at (702) 486-5127.

12. Wild Horse and Burro

12.1. If wild horses and/or burros are encountered in or near the authorized area do not feed, harass, or otherwise interact with the animal. Report sick or injured animals, or violations to animals to the BLM immediately.

13. Recreation

13.1. Unless expressly stated, a land use authorization does not create an exclusive right of use of an area by the holder. The holder shall not interfere with other valid uses of the federal land by other users, such as casual recreationists.

Appendix B

Maps and Figures

for

Fee Station Infrastructure Improvements and Right-of-Way Issuance at Red Rock Canyon National Conservation Area

DOI-BLM-NV-S020-2020-0015-EA

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Figure 1 - Overview Map of Fee Station Infrastructure Improvement Zones

[5.8 acres were analyzed for 2.6 Acres of project action's footprint - new & existing disturbance.]


N

Figure 2 - Proposed Lighting Layout

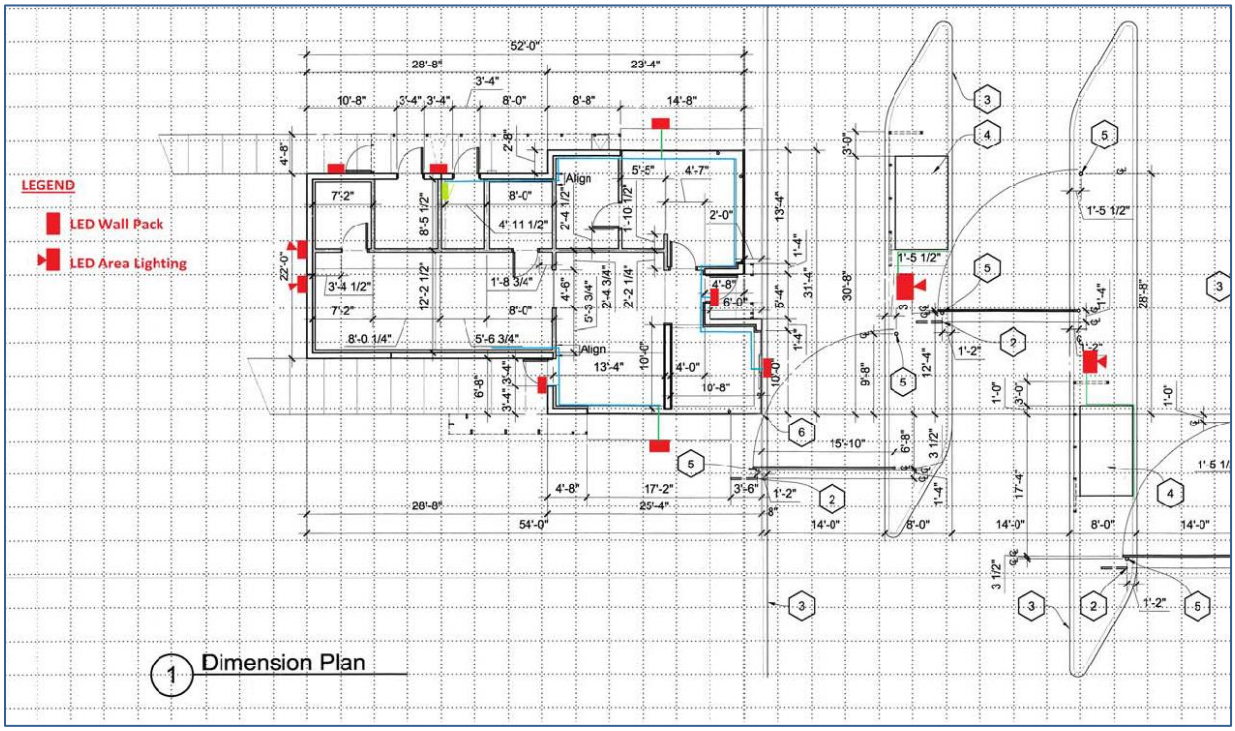


Figure 3 - Map of Total Area Considered for Location of the Upgraded Septic System

[5.5 Acres were analyzed (0.6 acres on east side of the entrance road and 4.9 acres on west side of the entrance road); with 0.1 acres of actual construction proposed Septic and Leach Field within this footprint)]

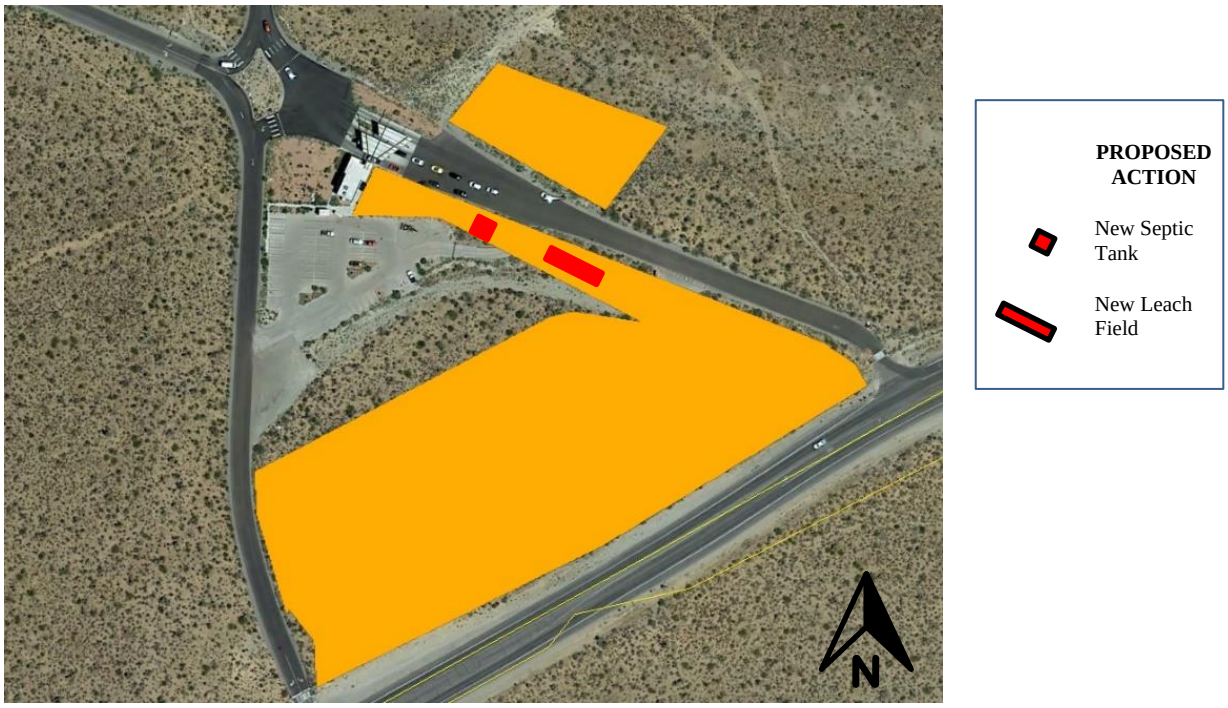


Figure 4 - Close Up of Proposed Action for New Septic System

(~0.1 acres)

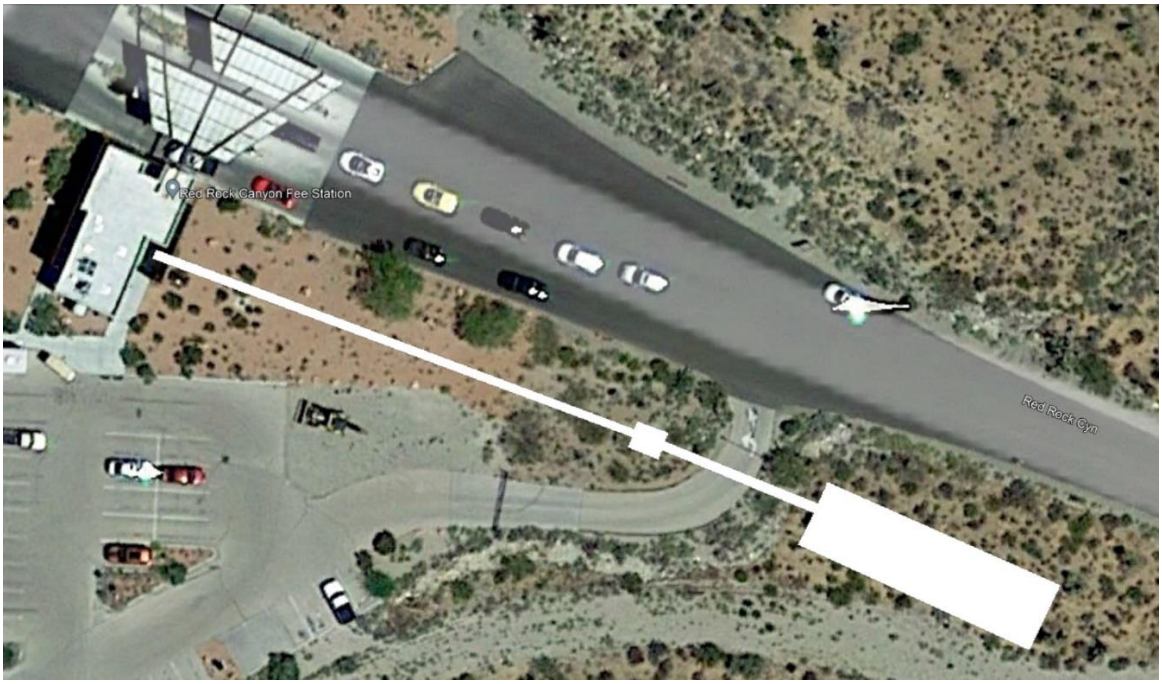


Figure 5 - Drawing of Current Layout of Visitor Entry Lanes

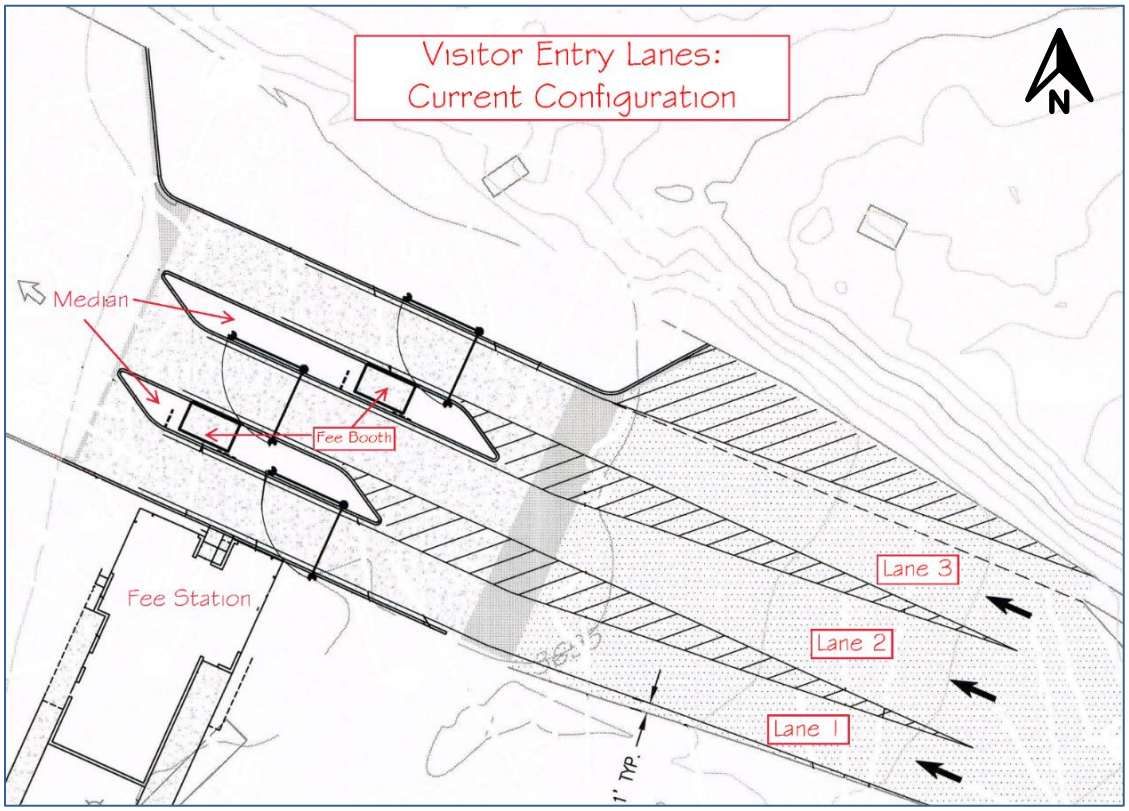


Figure 6 - Fast Pass and Bicycle Lane

[0.5 Acres]

Figure 7 - Drawing of New Layout with Fast Pass Lane and Bicycle Lane

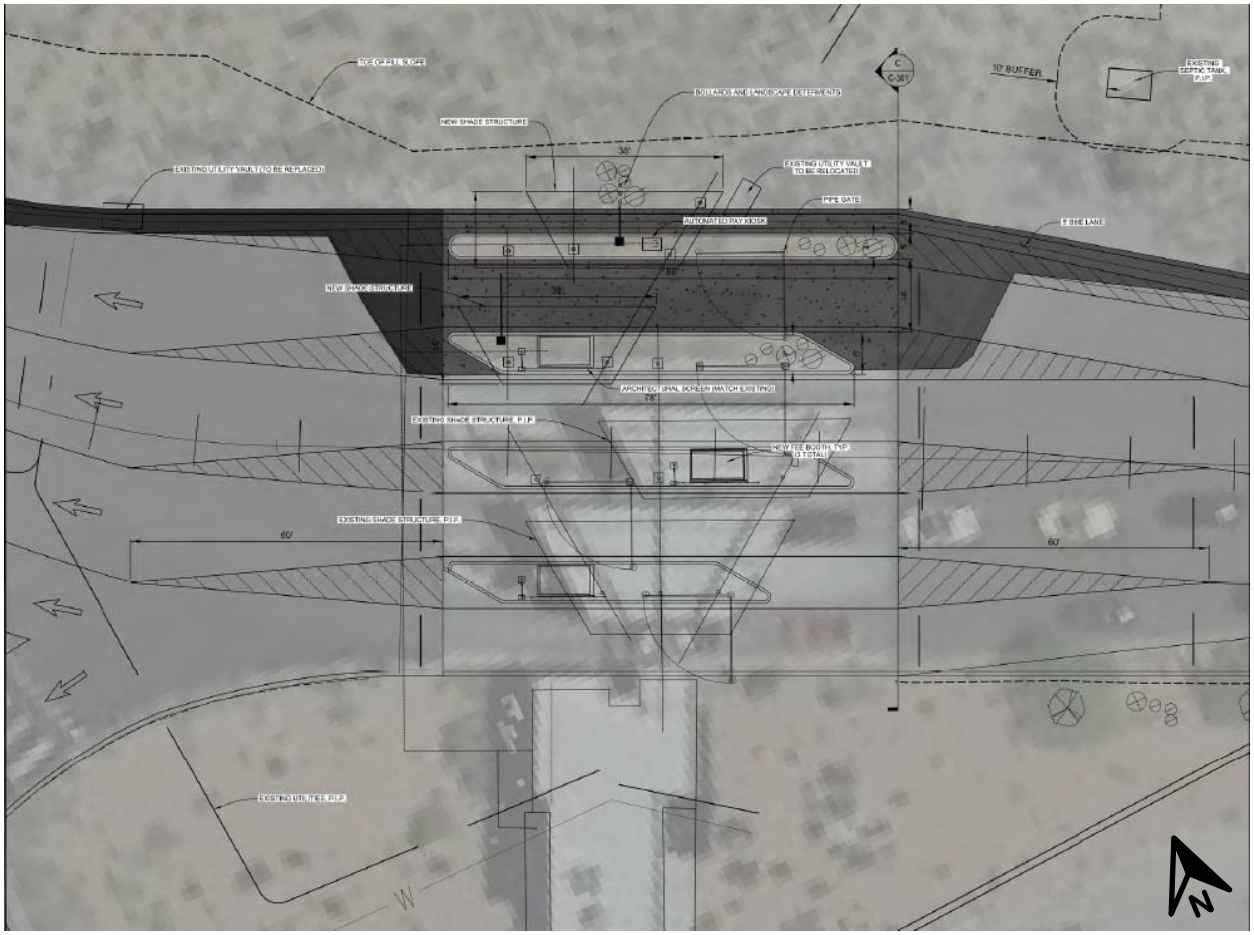


Figure 8 - Drawing of Elevation of New Layout – Fee Station Elevation Featuring Fast Pass and Bicycle Lanes

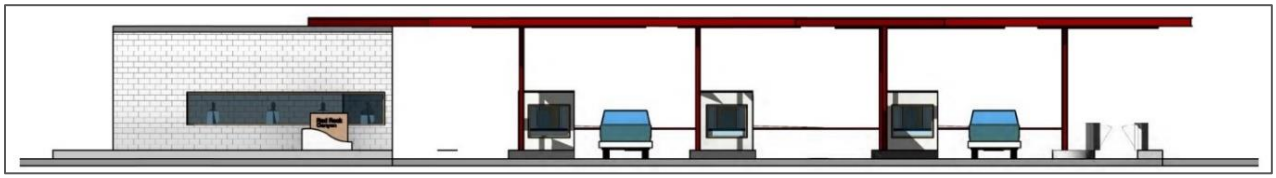


Figure 9 - Map of Widened Roadway
[0.5 Acres]

Figure 10 - Map of Widened Roadway

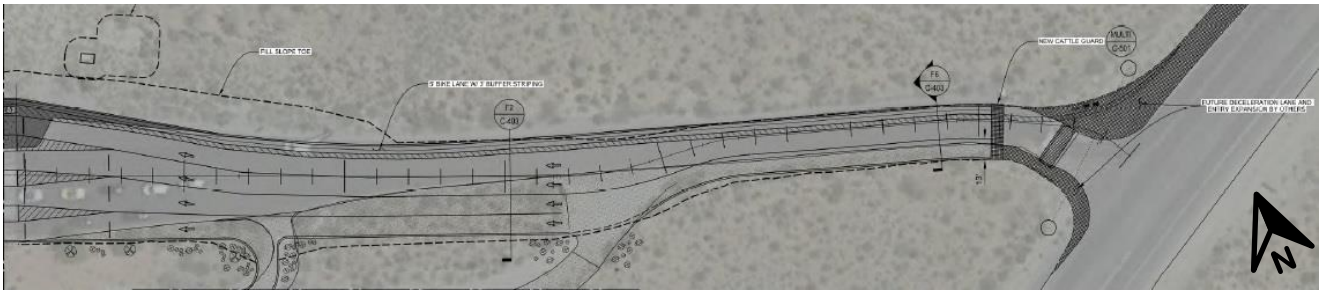


Figure 11 - Drawing of Widened Exit from the Fee Station to the Visitor's Center and the Scenic Loop

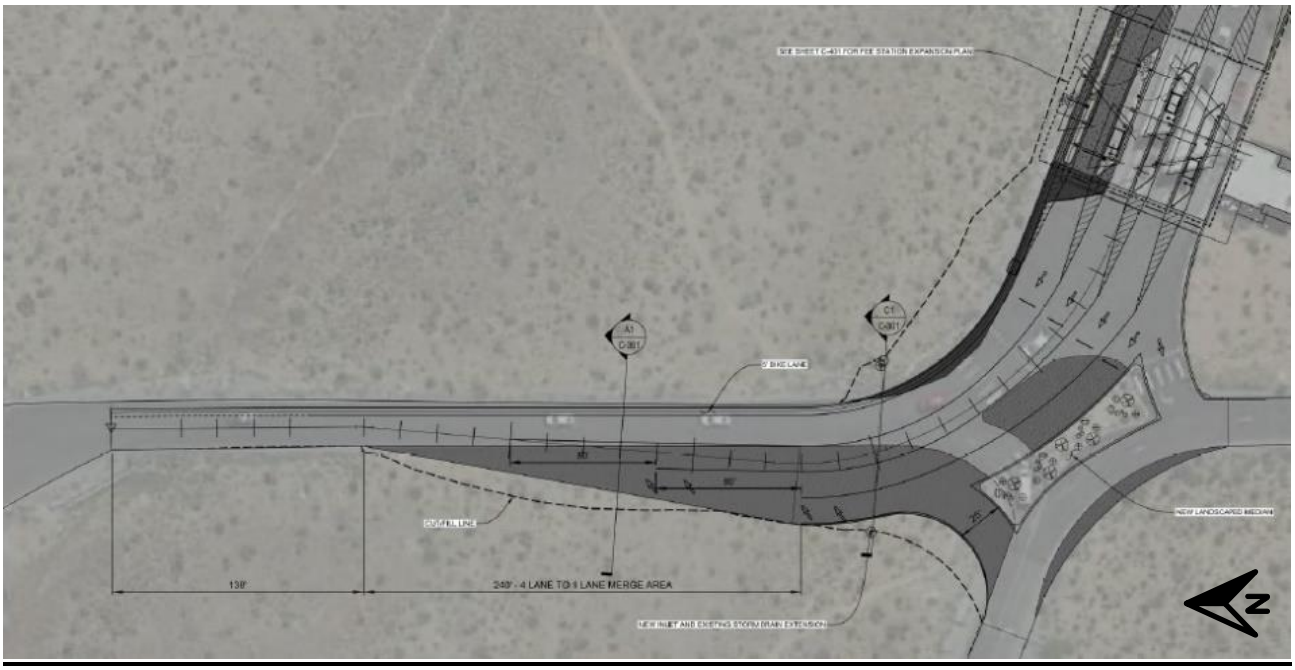


Figure 12 - Map of Ride Share Lane and New Median
[1.2 Acres]

Figure 13 - Drawing of the Ride Share Lane

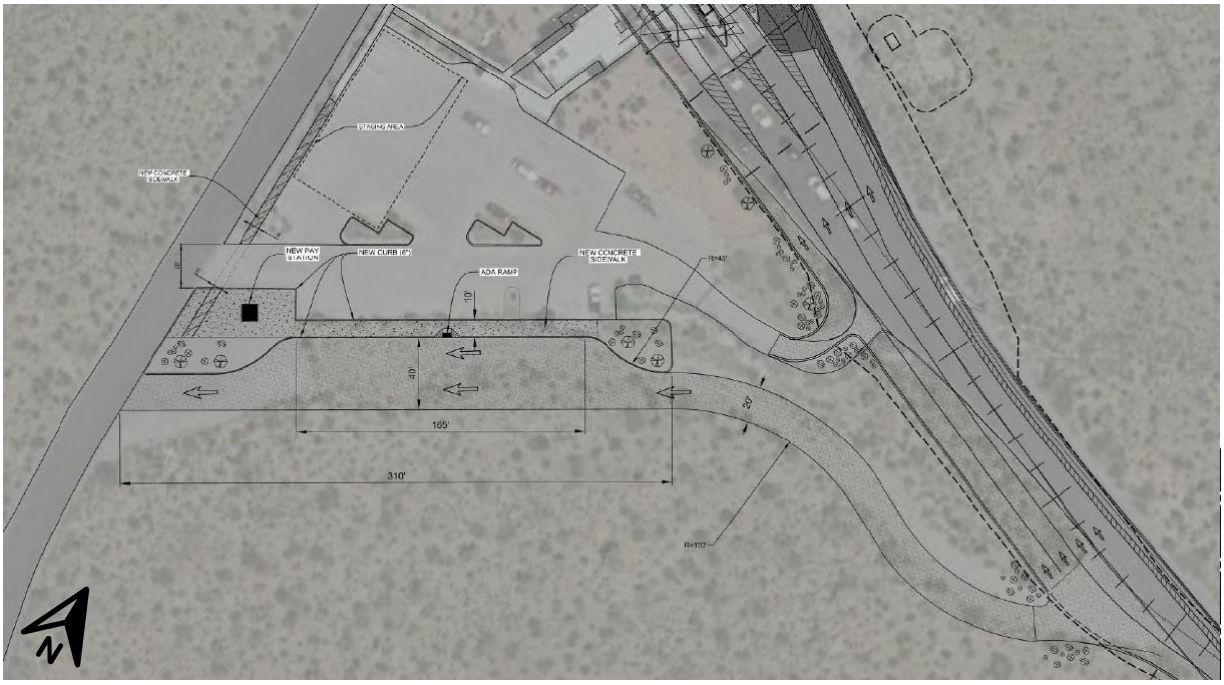


Figure 14 - Map of Parking Lot Modifications Featuring Extended Pavement on the East Corner and New Walking Trail

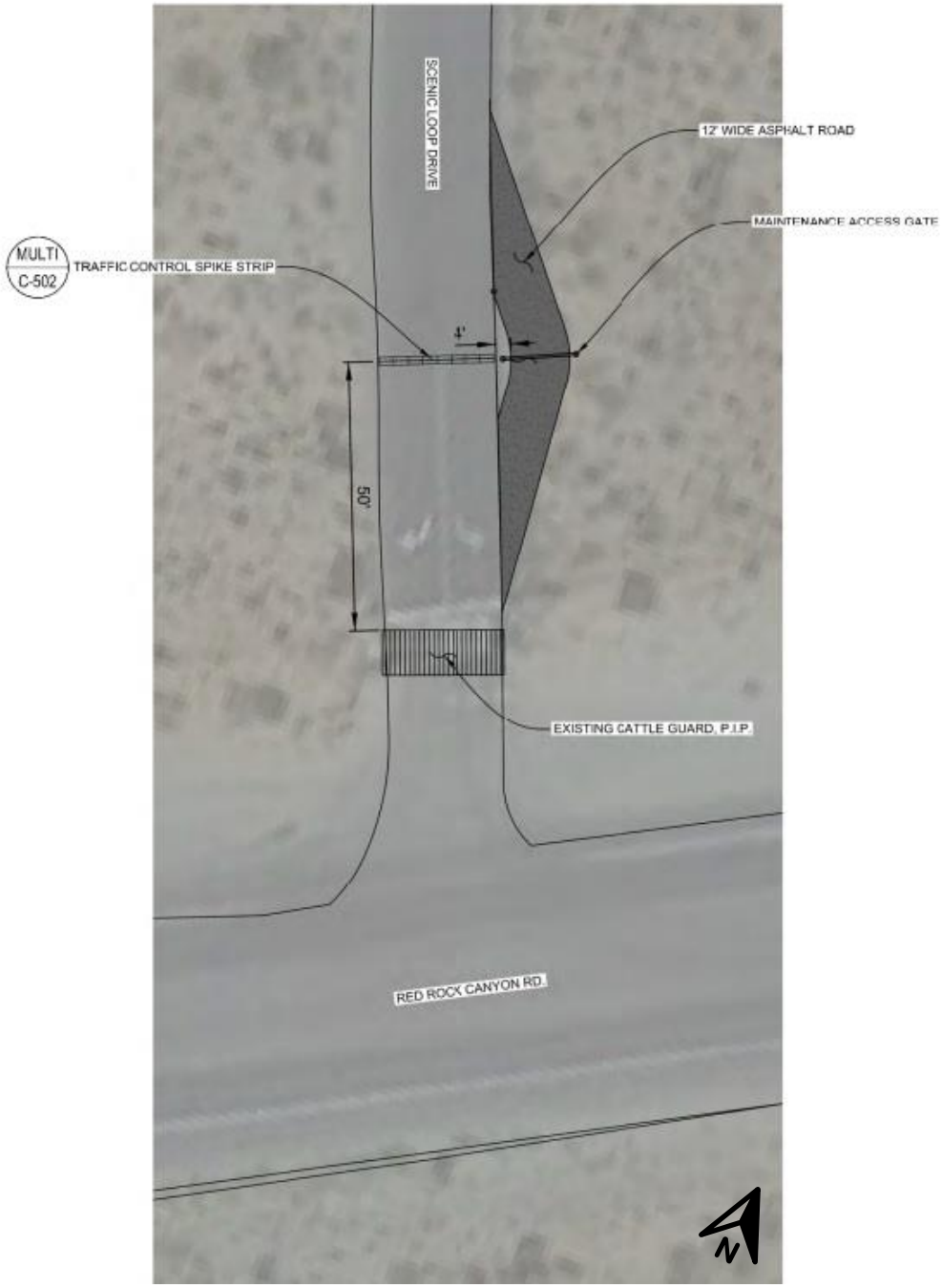
[0.2 Acre].

The Proposed Action also Includes Resurfacing the Existing 0.6 Acre Parking Lot (Not Indicated).

Figure 15 - Map with Proposed Maintenance/Emergency Vehicle Entrance (in blue)
[<0.1 Acres]

Figure 16 - Drawing of Proposed Maintenance/Emergency Vehicle Entrance

[<0.1 Acres]



Appendix C
Placeholder for
Biological Opinion
Terms and Conditions
for

Fee Station Infrastructure Improvements and Right-of-Way Issuance at Red Rock Canyon National Conservation Area

DOI-BLM-NV-S020-2020-0015-EA

Case File #: N-99657

Note: At the time of the preparation of this Draft EA, the U.S. Fish and Wildlife Service (USFWS) is reviewing the Proposed Action for the threatened Mojave Desert Tortoise. This consultation is pending, and the outcome will be updated in this section of the Final EA.